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ABSTRACT

This report is an updated version of an earlier report -- State Education: Structure and Organization. It is designed for use by State education agency personnel, by Office of Education staff concerned with providing leadership or services to the several States in improving the education enterprise, by national education organizations, by students of State school administration, and by other individuals and organizations. This work is primarily concerned with the present overall administration and organization of the central education agencies in the 50 States, the District of Columbia, American Samoa, Guam, the Commonwealth of Puerto Rico, the Trust Territory of the Pacific Islands, and the Virgin Islands. The compilation contains a description of the legally created State coordinating or governing agency for public higher education and narrative and tabular summaries of pertinent data of the State education agencies, State boards of education, and chief State school officers. (Author)

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STATE DEPARTMENTS OF EDUCATION, STATE BOARDS OF EDUCATION, AND CHIEF STATE SCHOOL OFFICERS

Including Reference to Legally Created Statewide

Coordinating Agencies for Higher Education

by

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PREFACE

Historically State legislatures have created State education agencies to coordinate and administer education, which has been construed to be primarily a State responsibility under our Federal system of government. In the 20th century, State education agencies have expanded from small, rural-oriented departments to dynamic, complex organizations employing hundreds of professionals and support personnel.

State education agencies vary in terms of structure and organization, size, duties, powers, relationship with other agencies, and general competence of staff. As a result of such great variations, it is difficult to generalize about State departments of education and such generalizations as are made undoubtedly ignore the variations which should be a matter of concern.

The reawakened national interest in education, and the vast Federal support for elementary and secondary education in recent years have prompted new arrangements in State education agencies to meet the demands of new conditions. The primary concern of this work is with the present overall administration and organization of the central education agencies in the fifty States, the District of Columbia, American Samoa, Guam, the Commonwealth of Puerto Rico, the Trust Territory of the Pacific Islands, and the Virgin Islands. The latter will herein be regarded as "States" for the purposes of this compilation, a treatment justified by much of the Federal education legislation, and their central bodies impartially referred to as "State" education agencies (SEA).

Until now, the most recent Office of Education study of the organization and structure of State education agencies was conducted in 1963 and published in 1964. Entitled State Education: Structure and Organization and prepared by the late Robert F. Will, it has been a widely used and valuable reference document. The long-term utility of such a publication is somewhat limited, however, because of the changes that occur in the departments, an additional proof of their vitality and dynamism. With this caveat, the project staff offers this updated version of Dr. Will's report for use by State education agency personnel, by Office of Education staff

concerned with providing leadership or services to the several States in improving the educational enterprise, by national education organizations, by students of State school administration, and by other individuals and organizations.

In addition to narrative and tabular summaries of pertinent data of the State education agencies, State boards of education, and chief State school officers, the compilation contains a description of the legally created State coordinating or governing agency for public higher education, although the greater emphasis is placed upon public education at the elementary and secondary levels. Inclusion of the legally established higher education coordinating authority, if any, for a State should not be construed to mean that it is necessarily related or dependent in any way in terms of scope of authority, administrative functions, or duties on the State department of education. Pains have been taken to define the relationship in each State.

The compilation is divided into two parts: Part One consists of five chapters--I, The State Department of Education; II, The State Board of Education; III, The Chief State School Officer; IV, Statewide Coordinating Agencies for Higher Education; and V, Summary of Basic Ideas and Implications for State-Level Educational Governance. Part Two presents, for each State, basic data as of September 1972 on (1) the State education agency, including the State department of education, State board of education, chief State school officer, and (2) the legally established statewide agency for higher education.

To insure the greatest possible accuracy, most of the summary descriptions have been written in the general format found in the statutes and/or constitutions of the various States. The information has been verified by and arranged in a format suitable to representatives of the agencies surveyed.

The compilation was conducted under the direction of Dr. Fred F. Beach, Assistant Director, Division of State Agency Cooperation.

The Office of Education is indebted to the State and higher education agency officials listed below who were responsible for assisting the author in the collection and verification of the basic data for the compilation:

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INTRODUCTION

The United States Constitution does not specifically mention education; the 10th amendment provides that "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." Education is regarded as a State function in our constitutional arrangement.

State constitutions outline the manner in which a uniform system of public schools is to be established and maintained. Some State constitutions describe in considerable detail essential provisions for a formal system of education. In others, the responsibility for establishing a uniform public school system is delegated to the legislature or general assembly.

In the literature the terms "State education agency" and "central education agency" are frequently used in their broadest sense to identify a legally constituted State department, office, board, commission, committee, or other State administrative instrumentality that is expressly delegated powers and duties by law. Educators commonly refer to the State department of education as the service organization under the executive direction of the chief State school officer; the three major parts of State departments of education are usually considered to be State boards of education, chief State school officers, and departmental staffs.

States in which a department of education is not clearly identified by constitutional provision or statute, or the term is used primarily in the generic sense, often use a term such as "office of the superintendent of public instruction" when referring to the agency primarily responsible for State supervision of public elementary and secondary schools. For the purpose of this compilation, the State education agencies of Hawaii, the Commonwealth of Puerto Rico, the District of Columbia, American Samoa, Guam, the Trust Territory of the Pacific Islands, and the Virgin Islands, which serve as both State and local education agencies, are considered only in their capacities as State education agencies.

Table 1 provides a description of the legal status of the department of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools in the States.

Table 1.--The State department of education: September 1972

State	Designation	Legal status of State department of education, including references to the State board of education and the chief State school officer
Alabama.....	State Department of Education..	The State Department of Education is under the direction of the State Superintendent of Education with the advice and counsel of the State Board of Education. The State Board of Education exercises, through the State Superintendent of Education and his professional assistants, general control and supervision over the public schools of the State, junior colleges, trade schools, Alabama State University and Alabama Agricultural and Mechanical University. All other higher education institutions are under separate boards of trustees.
Alaska.....	State Department of Education..	The Department of Education includes the Commissioner of Education and the staff necessary to carry out the functions of the department. At the head of the department is the Board of Education; the Commissioner of Education is the principal executive officer of the department. The department (1) administers the State's program of education at the elementary and secondary levels, including programs of vocational education, vocational rehabilitation, library services, and correspondence courses and plans; and (2) finances and operates related school and educational activities and facilities.
Arizona.....	State Department of Education..	The Department of Education is administered through (1) the State Board of Education which is the governing and policy-determining body of the department, and (2) the Superintendent of Public Instruction in whom all executive, administrative, and ministerial functions of the department are vested and who is the executive officer of the State Board of Education.
Arkansas.....	State Department of Education..	The Department of Education consists of the State Board of Education, a Director of the Department of Education, and such divisions as presently exist within the department and as may be created by law or the State Board of Education. The State board selects the staff of the department and is authorized to organize the department into such divisions, branches, or sections as may be found necessary and desirable by the Director of Education.
California.....	State Department of Education..	The Department of Education is an administrative unit of State government. The State Board of Education is the governing and policy-determining body of the State Department of Education. The Superintendent of Public Instruction is vested with all executive and administrative functions of the department; he is the secretary and executive officer of the State Board of Education and is ex officio Director of Education. The Superintendent executes, under direction of the State Board of Education, the policies which have been decided upon by the board and directs, under general rules and regulations adopted by the board, the work of all appointees and employees of the board.

Table 1.--The State department of education: September 1972--Continued

State	Designation	Legal status of State department of education, including references to the State board of education and the chief State school officer
Colorado.....	State Department of Education..	The Department of Education is a unit in the executive branch of the State government consisting of the State Board of Education, the Office of the Commissioner of Education, and such divisions, boards, agencies, officers, and employees as may be provided by law or by order of the State board and the Commissioner. The State Board of Education is responsible for the general supervision of the public schools. The Commissioner of Education is secretary of the State board and the administrative and executive head of the department. A separate State Board for Vocational Education functions independently of the State department, the Commissioner, and the State Board of Education.
Connecticut.....	State Department of Education..	No reference is made to the Connecticut State Department of Education in the 1970 edition of Laws Relating to Education or the laws enacted by the 1971 or 1972 General Assembly.
Delaware.....	State Department of Public Instruction.....	The only law that relates to the establishment of the Department of Public Instruction does not refer to the department by name but calls for "the appointment for a term of no more than one year, of professional and clerical assistants necessary for carrying out the policies and the rules and the regulations of the board." The general administration and supervision of the free public schools and of the educational interests of the State are vested in the State Board of Education. The board appoints as its executive secretary the State Superintendent of Public Instruction.
District of Columbia.....	Public Schools of the District of Columbia.....	The control of the public schools of the District of Columbia is vested in the Board of Education which consists of 11 elected members, three elected at large and one from each of the eight school election wards established by law. The Board of Education appoints the Superintendent of Schools for a term of 3 years and a secretary who is not a member of the board. The board determines all questions of general policy relating to the schools, determines the curricula, plans the program of school construction, and is responsible for textbook acquisition. It approves and sets priorities for the expenditure of funds. The Superintendent of Schools has the direction of and supervision in all matters pertaining to the instruction in all the schools under the Board of Education. He has a seat on the board but not the right to vote.

Table 1.--The State department of education: September 1972--Continued

State	Designation	Legal status of State department of education, including references to the State board of education and the chief State school officer
Florida.....	Department of Education.....	The head of the Department of Education is the State Board of Education in which is vested the general control of the public schools of Florida. The Department of Education acts as an administrative and supervisory agency under the direction of the State board. The board and its staff comprise the department. The Commissioner of Education is secretary and executive officer of the board and exercises general supervision over the State system of public education.
Georgia.....	State Department of Education..	The Department of Education is clearly identified as the organized staff under the executive direction of the Superintendent of Schools. The State Board of Education is responsible for the general supervision of the Department of Education. The Superintendent of Schools is the executive officer of the board and the administrative officer of the department.
Hawaii.....	State Department of Education..	The Department of Education is a unit within the executive branch. Administratively it is headed by an elected executive board, the Board of Education. Under the State Constitution the board is to formulate policy and exercise control over the public school system through its executive officer, the Superintendent of Education.
Idaho.....	State Department of Education..	The Department of Education is an executive agency of the State Board of Education. The State Superintendent of Public Instruction serves as the executive officer of the department and has the responsibility for carrying out policies, procedures, and duties authorized by law or established by the board. The department is organized in a manner determined by the State Superintendent and approved by the board.
Illinois.....	Office of the Superintendent of Public Instruction.....	No reference is made to the Illinois Department of Education in the new State Constitution in force July 1, 1971 or in the School Code of Illinois, Circular Series A, No. 265, 1969. In Illinois, "Office of the Superintendent of Public Instruction" appears to be synonymous with what other States might call "State Department of Education."
Indiana.....	State Department of Public Instruction.....	Charged with responsibility for standards in the public schools, the Department of Public Instruction is administered by the Superintendent of Public Instruction as it carries out duties and functions described by State law, State Board of Education promulgated rules and policies, Federal laws and regulations, and administrative policies established by the Superintendent and his staff.

Table 1.--The State department of education: September 1972--Continued

State	Designation	Legal status of State department of education, including references to the State board of education and the chief State school officer
Iowa.....	State Department of Public Instruction.....	The Department of Public Instruction acts as an administrative, supervisory, and consultative agency under the direction of the Superintendent of Public Instruction and the State Board of Public Instruction. The department is located in the office of the State Superintendent, and assists the Superintendent in providing professional leadership and guidance and in carrying out policies, procedures, and duties authorized by law or by the regulations of the State board, as are found necessary to attain the purposes and objectives of the school laws of Iowa. The Superintendent of Public Instruction is the executive officer of the State board.
Kansas.....	State Department of Education..	The Department of Education is under the jurisdiction of the State Board of Education and the administrative supervision of the Commissioner of Education as directed by law. The Legislature provides for a State Board of Education which has general supervision of public schools, educational institutions, and all the educational interests of the State, except educational functions delegated by law to the State Board of Regents. In compliance with the Constitution of Kansas, provisions are made in the law for an elected State Board of Education and a Commissioner of Education who is appointed by and serves at the pleasure of the State board as its executive officer.
Kentucky.....	State Department of Education..	The Department of Education consists of the State Board of Education and the Superintendent of Public Instruction. The department exercises all the administrative functions of the State in relation to the management and control of the public common schools, of vocational education and rehabilitation, and of West Kentucky Vocational School, the Kentucky School for the Blind, and the Kentucky School for the Deaf, and may exercise certain powers and functions relating to area vocation schools, and relating to television in aid of education and other proper public functions. The State Board of Education is recognized as a public body corporate and politic, and an agency and instrumentality of the Commonwealth in the performance of essential governmental functions. The board has the management and control of the common schools, public vocational education and vocational rehabilitation, West Kentucky Vocational School, and the Kentucky School for the Blind.
Louisiana.....	State Department of Education..	The State Superintendent of Public Education as ex officio secretary and executive officer of the State Board of Education is authorized to establish a Department of Education. The State board has supervision and control of all free, public, elementary and secondary schools, trade and/or vocational-technical schools, schools for the blind, deaf, cerebral palsied and spastic, and State colleges and universities other than Louisiana State University and its branches.

Table 1.--The State department of education: September 1972--Continued

State	Designation	Legal status of State department of education, including references to the State board of education and the chief State school officer
Maine.....	Department of Educational and Cultural Services.....	Authorized by statute effective July 1, 1972, implementing the reorganization of the Department of Educational and Cultural Services, the department consists of the Commissioner of Educational and Cultural Services and includes the following: The Department of Education, the State Board of Education, the Maine Education Council, the Maine Commission for the Higher Education Facilities Act of 1965, the Maine Advisory Council on Vocational Education, the Maine Representatives to the New England Board of Higher Education, the Maine School Building Authority, the Governor Baxter School for the Deaf, the Maine State Commission on the Arts and the Humanities, the State Museum, the Maine State Museum Commission, the State Historian, and the Maine State Library.
Maryland.....	State Department of Education..	Educational matters affecting the State and the general care and supervision of public education are entrusted to the Department of Education, at the head of which is the State Board of Education. The State Superintendent of Schools is the chief executive, the secretary, and the treasurer of the State Board of Education.
Massachusetts....	State Department of Education..	The Department of Education is under the supervision and control of the Board of Education. Under the direction of the board, the Commissioner of Education is the secretary to the board and serves as its chief executive officer. Several of the agencies placed in the Department of Education by law function independently in conducting their work and are not subject to its control.
Michigan.....	State Department of Education..	The Department of Education was created pursuant to the 1965 Executive Organization Act, which sets forth the powers, duties, and functions of the department as required by the Michigan Constitution. The executive order creating the department designates the State Board of Education as the head of the department and the Superintendent of Public Instruction as its principal executive officer. The Superintendent is chairman of the board without the right to vote, and is responsible for the execution of its policies.
Minnesota.....	State Department of Education..	The Department of Education is maintained under the direction of the State Board of Education. The Commissioner of Education is the executive officer and secretary of the State board.

Table 1.--The State department of education: September 1972--Continued

State	Designation	Legal status of State department of education, including references to the State board of education and the chief State school officer
Mississippi.....	State Department of Education..	The Department of Education consists of the chief State school officer and the staff under his executive direction. The department is charged with the execution of all laws relating to the administrative, supervisory, and consultative services to the public schools, agricultural high schools, and junior colleges of Mississippi. Subject to the direction of the State Board of Education, the chief State school officer is vested with the administration, management, and control of the Department of Education.
Missouri.....	State Department of Education..	The Department of Education includes the State Board of Education, the Division of Public Schools, the Division of Registration and Examination, and the agencies assigned to the department. Supervision of instruction in the public schools is vested in the State Board of Education. The Commissioner of Education is the chief administrative officer of the State board and supervises the Division of Public Schools.
Montana.....	Office of the Superintendent of Public Instruction.....	The Superintendent of Public Instruction is the executive head of Montana's elementary and secondary education system. With the recodification of Montana's school law in 1971, the former Department of Public Instruction no longer exists. The Superintendent of Public Instruction, a member of the executive department of State government, is an ex officio member of the State Board of Education and serves as secretary of the State board. Also, the Superintendent is the executive officer of the State Board of Education for vocational education purposes.
Nebraska.....	State Department of Education..	The Department of Education consists of the State Board of Education and the Commissioner of Education. The department has general supervision and administration of the school system of the State and of such other activities as the Legislature may direct. The board is the policy-forming, planning, and evaluative body for the State school program. Acting under the authority of the board, the Commissioner of Education is the executive officer of the board and the administrative head of the professional, technical, and clerical staff of the department.
Nevada.....	State Department of Education..	The Department of Education receives its authority from the State Board of Education through its executive head, the Superintendent of Public Instruction. The State board is the governing body for the department, and through this authority provides policies so that the department through the Superintendent can exercise all administrative functions relating to schools not conferred by law upon some other agency.

Table 1.--The State department of education: September 1972--Continued

State	Designation	Legal status of State department of education, including references to the State board of education and the chief State school officer
New Hampshire....	State Department of Education..	The Department of Education consists of the State Board of Education, the Commissioner of Education, and such other officials and employees as may be authorized. The State board is entrusted with the management, supervision, and direction of all public schools in the State, except as limited by law. The Commissioner of Education is the chief executive officer and secretary of the board.
New Jersey.....	State Department of Education..	The Department of Education is a principal department in the executive branch of the State government; it consists of the State Board of Education, which is at the head of the department, the Commissioner of Education, and such divisions, bureaus, branches, committees, officers and employees as are necessary. The general supervision and control of public education in the State, except higher education, are vested in the State board, which formulates plans and makes recommendations for the unified, continuous, and efficient development of public education, other than higher education, of people of all ages within the State. The Commissioner of Education is the chief executive and administrative officer of the Department of Education and is also its budget and fiscal officer.
New Mexico.....	State Department of Education..	The Department of Education and State Board of Education are created by the State Constitution. As the governing authority, the State board has control, management, and direction of all public schools, except as otherwise provided by law, and determines policy for the operation of all public schools and vocational education programs in the State. The State Superintendent is the chief administrative officer of the board.
New York.....	State Education Department.....	The State Education Department is the administrative department of State government charged with the general management and supervision of all public schools and all educational work of the State. The Board of Regents of The University of the State of New York heads the State Education Department. The Commissioner of Education is the chief executive officer of the department and is appointed by the Board of Regents and serves at its pleasure. He serves also as president of The University of the State of New York.
North Carolina...	Department of Public Education.	The legally created Department of Public Education was made operative by executive order of the Governor by July 1, 1972. The head of the Department of Public Education is the State Board of Education. The Superintendent of Public Instruction is the secretary and chief administrative officer of the board.
North Dakota.....	State Department of Public Instruction.....	The Department of Public Instruction is not expressly defined in the law. When the department is mentioned in the law, reference is generally to the staff under the executive direction of the Superintendent of Public Instruction.

Table 1.--The State department of education: September 1972--Continued

State	Designation	Legal status of State department of education, including references to the State board of education and the chief State school officer
Ohio.....	State Department of Education..	The Department of Education consists of the State Board of Education, the Superintendent of Public Instruction, and a staff of such professional, clerical, and other employees as may be necessary. The department is the administrative unit and organization through which the policies, directives, and powers of the board and the duties of the Superintendent are administered by the Superintendent as executive officer of the board.
Oklahoma.....	State Department of Education..	The Department of Education is the unit of State government in which are placed the agencies created or authorized by the Constitution and Legislature that are charged with the responsibility of determining the policies and directing the administration and supervision of the public school system of the State. These agencies are the State Board of Education, the State Superintendent of Public Instruction, and such divisions and positions as may be established by law and by the State Board of Education. The State board is the governing board of the department and the public school system of the State. The Superintendent is president and executive officer of the board.
Oregon.....	State Department of Education..	The Department of Education functions under the direction and control of the State Board of Education. The department consists of the State Board of Education, the State Textbook Commission, such other agencies and officers as are added by law to the department, and the administrative organizations and staffs required for the performance of the department's functions. All administrative functions of the State board are exercised through the Department of Education, and the department exercises all administrative functions of the State relating to supervision, management, and control of schools and community colleges not conferred by law on some other agency. The Superintendent of Public Instruction acts as executive head of the department.
Pennsylvania.....	State Department of Education..	An Act of July 1969 created the Department of Education, an administrative unit of State government headed by a Secretary of Education. The department contains some 26 administrative boards and commissions, one of which is the State Board of Education. Educational policies, standards, rules, and regulations promulgated by the State Board of Education are binding upon the Department of Education. The department submits to the State board for approval all rules and regulations proposed by the department in the areas under the policy control of the board. The department furnishes upon request of the board such data and information as the board may require, and provides administrative services for and on behalf of the board.

Table 1.--The State department of education: September 1972--Continued

State	Designation	Legal status of State department of education, including references to the State board of education and the chief State school officer
Rhode Island.....	State Department of Education..	A reorganization of the Department of Education mandated by the Education Act of 1969 resulted in the establishment of a Board of Regents which, for all levels of public education in the State, has the responsibility of formulating and implementing a master plan for public education in the State, determining fiscal priorities, setting standards, supervising and evaluating results. The Board of Regents has assumed "all powers, rights, duties, and privileges formerly belonging to the board of trustees of State colleges, the State Board of Education, the Department of Education, and, excepting as specifically provided, the Commissioner of Education."
South Carolina...	State Department of Education..	The Department of Education is not expressly identified in the law even though the term is used in various instances. For example, a duty of the State Superintendent is to "organize, staff, and administer a State Department of Education which shall include such divisions and departments as are necessary to render the maximum service to public education in the State" and "administer through the State Department of Education; all policies and procedures adopted by the State board." The State Board of Education adopts policies, rules, and regulations not inconsistent with the laws of the State for the government of the free public schools. As a policy body, the State board is designed to regulate, evaluate, upgrade, and control the statewide educational system. The State Superintendent serves as secretary and administrative officer of the board.
South Dakota.....	State Department of Public Instruction.....	The Department of Public Instruction is not expressly defined or identified by statute although the term is generally used. The law provides that the State Board of Education shall, except for the appointment of the Deputy State Superintendent, appoint and fix the salaries of the professional staff of the Department of Public Instruction. The Superintendent delegates ministerial and executive functions to the personnel of the department. The State board is responsible for the adoption of all policies (1) for the government of the department and (2) for carrying out educational functions which relate to elementary and secondary schools, or which may be vested in the department.
Tennessee.....	State Department of Education..	The Department of Education is an administrative unit of State government. In addition to serving as chairman and ex officio member of the State Board of Education, the Commissioner of Education is the administrative head and chief executive officer of the department. The State Board of Education is associated with the Department of Education for administrative purposes.

Table 1.--The State department of education: September 1972--Continued

State	Designation	Legal status of State department of education, including references to the State board of education and the chief State school officer
Texas	State Department of Education	The Department of Education constitutes the professional, technical, and clerical staff of the Central Education Agency. The State Board of Education, the State Board for Vocational Education, the State Commissioner of Education, and the State Department of Education comprise the Central Education Agency, which exercises general control of the system of public education at the State level. The State Board of Education is the policy-forming and planning body for the public school system. The Commissioner of Education serves as executive officer of the Central Education Agency and as executive secretary of the State Board of Education and of the State Board for Vocational Education.
Utah	Office of the State Board of Education	The Office of the State Board of Education is analogous to the department of education in many other States. The State Superintendent of Public Instruction is the executive officer of the board, which is vested with the general control and supervision of the public school system.
Vermont	State Department of Education	The Department of Education is defined in the Vermont education laws as the Commissioner of Education and the staff necessary to carry out the functions of the department. The State Board of Education has supervision over and management of the department and the public school system, except as otherwise provided by law. The Commissioner is the chief executive officer and secretary of the board.
Virginia	State Department of Education	The Department of Education is not clearly identified by constitutional provision or statute; no reference is made to it in the law. The general supervision of the school system is vested in the State Board of Education, which is appointed by the Governor, subject to confirmation by the General Assembly. The Superintendent of Public Instruction is appointed by the Governor, subject to confirmation by the General Assembly, for a term coincident with that of the Governor making the appointment. The Superintendent serves as secretary of the board.
Washington	Office of the Superintendent of Public Instruction	The term "State Department of Education" is not used in the laws of Washington. There is fully operational a single State education office under the direction of the Superintendent of Public Instruction who is responsible for administration of the total State educational program including carrying out the policies of the State Board of Education in those areas in which the board has statutory power. In his relationship to the State board, the State Superintendent serves as ex officio president and executive and administrative officer.

Table 1.--The State department of education: September 1972--Continued

State	Designation	Legal status of State department of education, including references to the State board of education and the chief State school officer
West Virginia....	State Department of Education..	The Department of Education is maintained at the Office of the State Superintendent of Schools. Subject to and in conformity with the Constitution and laws of West Virginia, the State Board of Education determines the educational policies of the public schools in the State and makes rules for carrying into effect the laws and policies of the State relating to education.
Wisconsin.....	State Department of Public Instruction.....	There is created by law a Department of Public Thstruction under the direction and supervision of the State Superintendent. Wisconsin does not have a State Board of Education for public elementary and secondary education.
Wyoming.....	State Department of Education..	There is a separate and distinct department designated as the State Department of Education which consists of the State Superintendent of Public Instruction, the State Board of Education, and such divisions, staffed by such personnel and provided with such facilities as the State Superintendent with the approval of the State board determines necessary to assist him and the State board in the proper and efficient discharge of their respective duties. The general supervision of the public schools is entrusted to the State Superintendent, who is the administrative head and chief executive officer of the department.
American Samoa...	Department of Education.....	The Department of Education of the Government of American Samoa is the agency responsible for administration of the system of education. The Board of Regents was created to take the place of the former Board of Education. The board functions as an advisory board to the Director of Education, who is an ex officio member of the board. The Board of Regents also acts as the Board of Vocational Education.
Guam.....	Department of Education.....	There is within the executive branch of the Government of Guam the Department of Education. Also within the Government of Guam is the Territorial Board of Education which with the approval of the Governor appoints the Director of Education, who is the administrative head of the department and executive secretary of the board.

Table 1.--The State department of education: September 1972--Continued

State	Designation	Legal status of State department of education, including references to the State board of education and the chief State school officer
Puerto Rico.....	Commonwealth Department of Education.....	The Commonwealth of Puerto Rico Department of Education is an administrative unit of Commonwealth government. The Commonwealth Board of Education has as its essential mission (1) to formulate with the Secretary the educational philosophy of the government of the Commonwealth; (2) to advise the Secretary in the orientation of the educational system; and (3) to observe that the programs of the department comply with selected educational objectives. As a basis for the decisions of the Department of Education on policy, manpower, economic resources and on physical plant, the board considers and approves a general 4-year plan for the development of the primary, secondary, vocational, and technical system. The Secretary of Education is the administrative head and chief executive officer of the Department of Education.
Trust Territory of the Pacific Islands.....	Department of Education.....	The Micronesia 1/ Board of Education has power in accordance with law to formulate policy and to exercise control over the educational system in the Trust Territory. The Department of Education is headed by a Director who, under policies established by the High Commissioner in consultation with the board, administers programs of education and public instruction throughout Micronesia. The Director of the department is also a member and executive officer of the board.
Virgin Islands...	Department of Education.....	The Department of Education is an executive unit in the Government of the Virgin Islands. The department is administered under the supervision and direction of the Commissioner of Education. Established as an independent agency within the department for administrative purposes is the Virgin Islands Board of Education, composed of nine elected members and the Commissioner, who serves as an ex officio member. The board has authority and jurisdiction in general to do anything necessary for the proper establishment, maintenance, management, and operation of the public schools of the Virgin Islands. The department has authority and jurisdiction to exercise general control over the enforcement of the laws relating to education and cooperates with the Virgin Islands Board for Vocational Education in the administration and promotion by that board of vocational education.

1/ As used in this study, "Micronesia" is synonymous with "Trust Territory of the Pacific Islands."

PART ONE

THE STATE EDUCATION AGENCY

CHAPTER I

THE STATE DEPARTMENT OF EDUCATION

Historical Background

The system of education in any State embraces a number of component parts. Historically, the practical authority to administer public elementary and secondary education was delegated by the several States to units of local government created for that purpose. Only later, in response to the increase in universality of public education, in the complexity of programs of education, and in the demands for services, did most States establish central statewide agencies for education.

The structural evolution of central State systems for public elementary and secondary schools has been a significant development in the history of our Nation. According to Beach, 1/ State departments of education have evolved through three stages. The first was primarily statistical, at which time the primary thrust of State departments was the gathering, compilation, and publication of educational statistics, and the disbursement of State financial assistance as universal compulsory education became increasingly the rule among the States. The statistical era was followed by the inspectoral stage of development, lasting from about 1900 to 1930, when data collection was augmented by regulatory functions and enforcement of standards. In the third stage, beginning about 1930, State departments came to be less concerned with enforcing regulations and controls and more with providing leadership in planning and technical assistance to bring about improvements in education.

The concept of "chief State school officer" evolved in a number of States, beginning with New York in 1812, out of a need to provide State supervision for education. At the outset, elected

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1/ Fred F. Beach and Andrew H. Gibbs, The Personnel of State Departments of Education. Washington, D.C.: U.S. Government Printing Office. Federal Security Agency, Office of Education, Misc. No. 16, 1952.

State officials originally performed such activities as apportionment of State funds to local school districts, and district supervision. As other responsibilities expanded, however, these officials were unable to spend adequate time on education-related activities. 2/

In the early stages of development, the sole professional employee of the State department of education often was the chief State school officer. As State departments of education were made responsible for an increasing number of important activities and services, however, the chief State school officer needed help with additional duties. In time, increases in staff resulted in the emergence of complex organizations.

Organization

General Considerations: State Education Organization.--With the ultimate responsibility for education, the State is expected to provide overall direction and guidance to education within the State. It does this through agencies, departments, or boards which are organized in a variety of ways. Some of these may be virtually autonomous. In some States the administrators or board members are appointed by the Governor; in others, they are elected by the people. While some States have one board for all education agencies, others have separate agencies for each level, and sometimes for the several institutions on one level or another.

The following are examples of how the States have organized their various educational divisions: 3/

2/ Donald H. Layton, "Historical Development and Current Status of State Departments of Education," in Roald F. Campbell, Gerald E. Sroufe, and Donald H. Layton, eds., Strengthening State Departments of Education. Chicago, Illinois: Midwest Administration Center, The University of Chicago, 1967, p. 6.

3/ Adapted from Clifford L. Dochterman and Barron B. Beshoar, Directions to Better Education: Suggestions for Improving Education in a Changing Society. Denver, Colorado: Improving State Leadership in Education, 1970, pp. 23-25. Supplementary information was provided by Dr. David L. Jesser, Associate Project Director, Improving State Leadership in Education.

A few States have:

One Agency for All Levels of Education

Examples: New York, Rhode Island, Florida

Several States have:

An Agency for Elementary and Secondary Schools Including Vocational Education --and-- A Legal State Coordinating or Governing Agency for Higher Education

Examples: Georgia, Nevada, North Dakota

Some States have:

An Agency for Elementary and Secondary Schools -and- An Agency for Vocational Education -and- A Legal State Coordinating or Governing Agency for Higher Education

Examples: Colorado, Oklahoma, Washington

Still others have:

An Agency for Elementary and Secondary Schools Including Vocational Education --and-- Governing Boards for Individual Institutions but No Legal Statewide Agency for Higher Education

Examples: Delaware, Nebraska, Vermont

Obviously there are a variety of ways in which a State can organize its educational governance. A State would do well to examine closely the potential advantages, disadvantages, alternatives, and implications of each particular pattern under consideration. A variety of "workable" plans of organization are possible in any given State.

The Department Itself.--Rather than analyzing the organization of an entire "State system" of education, which might include educational institutions, intermediate or county units, and local school districts, this section is limited to considerations involved in the organization of one particular administrative agency, the State education agency, which is commonly referred to as the State department of education.

The fact that State departments of education are organized to exercise powers and perform duties in a number of different ways reflects the characteristic diversity of educational governance in our Nation. The great variation from State to State renders inappropriate any one formula for determining the organization of a State department of education. Such variables as statutory responsibilities, participation in programs provided under Federal legislation, fiscal resources, and staff size and competency require consideration when a departmental organization is planned. Key policy guidelines for department organization have been provided by the Council of Chief State School Officers. 4/

So complex an organization as a State department of education has two specific characteristics: The formal structure of the organization and its informal structure. A formal organization is that which is depicted by the typical organization chart, in which the official lines of authority, the responsibilities of various units, and the established lines of communication are shown. Beyond the realm of the present report is the informal organization, which grows from the interpersonal relationships of the individuals in the formal organization and develops as a structure of personalities rather than of authority or function. 5/

A State department of education is generally composed of a chief executive officer (chief State school officer) and staff, and exists to conduct the work assigned to it by law or by board policy. The staff of a State department of education conducts departmental programs. The term "program" is frequently used in government to

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4/ Council of Chief State School Officers, The State Department of Education. A Policy Statement of Guiding Principles for Its Legal Status, Its Functions and the Organization of Its Service Areas. Washington, D.C.: The Council, 1963, pp. 21-23.

5/ For a recent discussion of complex organizations and bureaucracies, see Robert G. Owens, Organizational Behavior in Schools. Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1970, ch. 3.

associate a planned course of action with one or more well-defined purposes. The Council of Chief State School Officers defines a program as "a collective work assignment directed toward the attainment of objectives leading to particular goals." 6/

Of particular significance is effectively organizing the department to administer specific programs. There is no single "best" way in which a State should organize its education agency, however. Similarities in formal structure are found in many State departments, but there are also many individual differences. It is possible to develop or create organizational patterns that are program-oriented by using the following three basic organizational components as structural building blocks:

> Program components, or structural units that are staffed to conduct programs of the department.
>
> Internal administration components, or structural units that are staffed to assist the chief State school officer and his principal aides in governing--directing and controlling--the internal affairs of the department. Internal administration generally includes personnel management, business management, program management, and budget.
>
> Support components, or structural units that are staffed to provide special services that must be shared within the department. These shared services are commonly provided in the following areas: Research, statistics, law, library, public relations, publications, and graphic arts. 7/

The basic blocks can be placed in the department to provide the organization best suited to do the work that must be done with maximum efficiency, economy, and effectiveness. The size of the department as well as the number of operative programs are among the important variables to be considered in organization. Conceptual organization patterns can provide a hypothetical framework within which structural adaptations can be made in departments of varying sizes. 8/

6/ Council of Chief State School Officers, op. cit., p. 23.
7/ Ibid., p. 24.
8/ Ibid., pp. 24-25.

The Council of Chief State School Officers has developed charts depicting organizational patterns for (1) a small department governed by the chief State school officer with the assistance of a deputy or assistant superintendent and, possibly, a few administrative aides; (2) a medium department, usually requiring, because of its size, a second level of department administration; and (3) a large department, which can effectively utilize three administration levels. The charts include coordinating councils. Accompanying overlays offer a possible device to facilitate departmental operations when conditions warrant. Internal administrative overlays are helpful in fixing responsibility for internal government under rules and regulations applicable throughout the department. 9/

Present Status, Activities and Trends

Status.--As society has become more complex, the State department of education in like manner has become more complex. In their necessary roles as leaders, State departments of education have evolved from a position of merely reacting to and reflecting their environment to that of actively taking the lead in shaping it. State departments are increasingly involved in new programs, methods, and procedures. Plans for bringing about needed improvements in education cannot succeed without the cooperation of the State department of education.

State legislatures are beginning to take a more active role in formulating educational policy for the schools within their States. They look to the expertise, knowledge, and experience within the State department of education to provide wisdom and guidance in the formulation of this policy. Campbell refers to the extent of policymaking in the State educational agencies:

> ...State departments of education have something to do with policymaking, at least in some States. In some States they have quite a lot to do with policymaking,

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9/ Ibid. See also Robert F. Will, State Education: Structure and Organization. Washington, D.C.: U.S. Government Printing Office. U.S. Department of Health, Education, and Welfare, Office of Education, OE-23038, Misc. No. 46, 1964, pp. 29-33. Additionally, the appendices to Campbell, Sroufe, and Layton, Strengthening State Departments of Education, pp. 102-134, contain indepth descriptions of three State departments of education as living, working, dynamic social institutions.

> while in other States they have to be the implementers of policy. They are charged in every session of the State legislature to do a lot of things, so they have to be the implementers of policy. 10/

Not only does the State department serve as the instrument of a State to improve education throughout the State, but it also assists and cooperates with the Federal Government in meeting the national interest in the State. Consequently, it is a prime factor in developing both the policies which are based upon internal needs and the nationwide policies which need to be implemented within the State. Together, Federal, State, and local governments can solve problems that none can solve alone.

The status of the State department of education has been steadily rising in the eyes of the various publics to which it must relate. Educational leadership at the State level has begun to respond to forces both within and outside the educational establishment, and this response has led to needed changes and improvements in State departments themselves as well as in the total educational enterprise.

Common Functions and Activities.--Regardless of just how State departments of education happen to be organized, a common core of functions and activities is carried out by most departments. Still, the great diversity and variation among departments make detailed descriptions of the functions and activities in all States difficult and impractical. This brief section contains a few broad generalizations regarding those activities, services, and functions which are usually associated with most departments. Although numerous categorical schemes describing the activities of State departments of education have been developed, none of them are intended to be perfect.

One group of representatives of the States and the U.S. Office of Education has divided the functions of State departments of education into six major categories: (1) General management; (2) planning, research, development, and evaluation; (3) consultative services;

10/ Roald F. Campbell, "Decisionmaking in State Departments of Education," in Guilbert C. Hentschke and Verl W. Snyder, eds., The Future as Metaphor: Educational Decisionmaking, Seminar Report, Regional Interstate Project Program. Denver, Colorado: Department of Education, 1972, p. 53.

(4) distribution of resources; (5) internal services; and (6) operation or approval of programs and schools. 11/

Cognizant that activities of State departments of education are quickly outdated, Layton divides the services performed by most departments into five major activity groupings: (1) Operational, (2) regulatory, (3) service, (4) development, and (5) public support and cooperation. 12/ This classification scheme is based upon three categories of functions of State departments of education developed by Beach. 13/

In a similar context, Dochterman and Beshoar list six State education agency tasks, or six primary ways in which a State education agency should assist and provide leadership to local school systems: (1) Establishing goals; (2) developing policies; (3) planning needed changes; (4) determining priorities; (5) devising specific steps, procedures, and strategies for attaining all previously established goals; and (6) developing and using appropriate procedures for continuous evaluation of the programs and accomplishments of students at various levels and the effectiveness of plans, programs, and procedures. 14/

11/ Yeuell Y. Harris and Ivan N. Seibert, eds., The State Education Agency: A Handbook of Standard Terminology and a Guide for Recording and Reporting Information About State Education Agencies. Washington, D.C.: U.S. Government Printing Office. U.S. Department of Health, Education, and Welfare, Office of Education, OE-23054, 1971, p. 87.

12/ Layton, "Historical Development and Current Status of State Departments of Education," pp. 9-10. The emerging responsibilities of State education agencies are also described in Ewald B. Nyquist, "Emerging Functions and Operations of State Education Departments," in The Emerging Role of State Education Departments, Dick C. Rice and Powell E. Toth, eds. Columbus, Ohio: The Center for Vocational and Technical Education, The Ohio State University, 1967, pp. 214-242.

13/ Fred F. Beach, The Functions of State Departments of Education. Washington, D.C.: U.S. Government Printing Office. Federal Security Agency, Office of Education, Misc. No. 12, 1950. See also Roald F. Campbell and Gerald E. Sroufe, "The Emerging Role of State Departments of Education," in Campbell, Sroufe, and Layton, Strengthening State Departments of Education, pp. 76-92.

14/ Dochterman and Beshoar, Directions to Better Education: Suggestions for Improving Education in a Changing Society, pp. 13-14.

An inspection of charts depicting the organization of the several State departments of education could conceivably provide a more revealing picture of individual departments by graphically showing where certain services and activities are found in the formal structure. Too, the following section focuses on trends and includes evidences of needed departmental shifts in emphasis that offer promise for improving education.

Few would disagree with the notion that roles and functions of State departments of education can no longer be limited to the traditional tasks of monitoring compliance with regulations, accreditation, teacher certification, apportionment of funds, pupil transportation and safety, and various custodial functions. In all likelihood there are advantages and disadvantages to each alternative for organizing educational governance in a State, but it has become increasingly evident that the traditional State department of education could not carry out its major role effectively. State departments of education have moved into a role of establishing and improving programs to identify and meet educational needs of States. This role has been described as "providing leadership and services in planning and helping others to plan for educational needs during the coming years." 15/

Some Noticeable Trends.--There appears to be a growing public awareness of the increasing number of services that State departments of education are providing. Gradual shifts in emphasis offer hope for new and expanded roles for State departments.

State departments of education are noticeably different today than they were when the Elementary and Secondary Education Act (of which Title V is a part) became law in 1965. In less than 8 years, Title V has had a tremendous impact on State departments of education and upon the leadership they provide. Congress recognized that the success of the Federal investments in education would depend upon strong State departments of education, not just in areas involving Federal programs but in all areas of education, including those which are completely State-supported. Additionally, Congress had evidence that where Federal funds were limited to categorical program administration, serious imbalances in the staffing of State agencies occurred and gaps in needed services existed.

To remedy this situation, section 503 of Title V encouraged State departments of education to determine areas where leadership resources needed to be strengthened and to use section 503 funds in

15/ Ibid., p. 29.

these areas. A necessary corollary to section 503 was section 505, which provides for special project grants designed to make a substantial contribution to the solution of problems common to State departments of education of all or several States. It sets up a mechanism to focus on problems of national import to complement the important work of the grants to individual States. 16/ Several current section 505 projects are briefly described in conjunction with specific trends delineated herein.

The trends described below are merely suggestive of some new directions in which State departments of education tend to be moving:

1. More comprehensive coordinated planning. It has become increasingly apparent that sound comprehensive planning is vital to the leadership role of State departments of education. Until recently, little attention has been given to discovering where educational efforts are being directed or to the evaluation of results. A recent trend has been toward State departments of education helping local school districts in long-range planning and developing appropriate policies and programs to meet the needs of their people. The State department of the future must exercise a leadership role in comprehensive State-local educational program planning. 17/

16/ For a review of Title V and other programs under which Federal funds assist State educational agencies, see State Departments of Education and Federal Programs. Annual Report Fiscal Year 1970. Washington, D.C.: U.S. Government Printing Office. U.S. Department of Health, Education, and Welfare, Office of Education, DHEW Publication No. (OE) 72-68, 1972. See also The Federal-State Partnership for Education. The Fifth Annual Report of the Advisory Council on State Departments of Education. Washington, D.C.: U.S. Government Printing Office. U.S. Department of Health, Education, and Welfare, Office of Education, OE-23050, 1970. See also, for example, Kenneth E. Smith, "The Impact of Title V on State Departments of Education," in Campbell, Sroufe, and Layton, Strengthening State Departments of Education, pp. 61-75; Jay D. Scribner, "Impacts of Federal Programs on State Departments of Education," in Edgar Fuller and Jim B. Pearson, eds., Education in the States: Nationwide Development Since 1900. Washington, D.C.: Council of Chief State School Officers, 1969, pp. 497-553.

17/ See James F. McNamara and Jay Smink, "The Future Role of State Education Departments." Planning and Changing, 1:115-122, October 1970, for a presentation of the results of a few recent publications dealing with the types of services that a State department of education should provide in the decade of the seventies.

Planning implies goal-defining, establishing procedures to attain the goals most efficiently, and continued evaluation of the program in terms of the original goals and new situations. Little disagreement has been expressed with the principle that a plan should include at least three basic parts: (1) Objectives, (2) procedures required to reach the objectives, and (3) assignment of the steps of the procedures to individuals or organization units as definite responsibilities. Perhaps representative of many definitions of planning is the following: "The selection or identification of the overall, long-range goals, priorities, and objectives of the agency, and the formulation of various courses of action in terms of identification of needs and relative costs or benefits for the purpose of deciding on courses of action to be followed in working toward achieving those goals, priorities, and objectives." 18/ Generally, then, emphasis in planning in the several States seems to be on needs assessment, the determination of priorities, and the selection of alternative procedures to meet the priorities.

The new interest shown by chief State school officers in the adoption of modern management techniques and tighter control of budget and long-range planning is quite promising. Federal as well as State resources are being allocated according to specific objectives. More States are moving toward developing comprehensive objectives and operational plans for their achievement. Departments of education are experimenting with modern management information systems and with the development of long-range planning models that will substitute rational and responsible decisionmaking for the former hit-and-miss methods of planning for the future. Also promising is the fact that State departments are beginning to tap the talent available on their staffs. There are significant contributions being made to the science of long-range planning which can be of benefit to many other organizations.

Much worthwhile progress has been made in the area of educational planning in recent years. Designing Education for the Future: An Eight-State Project and Comprehensive Planning in State Education Agencies were among the earliest section 505 projects to focus upon the area of statewide planning. More recently, Improving State Leadership in Education and Planning in the State Education Agency: The Next Step have sought to identify, describe, and determine the strengths and strategies used by State education agencies to plan

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18/ Harris and Seibert, The State Education Agency: A Handbook of Standard Terminology and a Guide for Recording and Reporting Information About State Education Agencies, p. 89.

and effect improvements in education. Many worthwhile multimedia materials and reports of project findings are being disseminated for use at State and regional conferences concerned with planning and providing for excellence in education and by study groups throughout the Nation. 19/

2. Increasing evidences of coordination with related agencies. A consequence of the growing commitment of the American people to quality education has been that State departments of education have become increasingly important instrumentalities for the achievement of national goals in education. As many properly organized and competently staffed departments have begun to provide needed leadership and services to plan and bring about improvement in all aspects of education, State legislatures as well as lay citizens, Governors, and related institutions and educational associations have started to take notice. As a result of improved linkages between and among these agencies, the overall quality of education in individual States has shown evidence of improvement.

Education has increased in political relevance to a point that public officials at all levels of government must be sensitive to and knowledgeable on educational issues. Moreover, the potential benefit of many Federal, State, and local agencies working together is beginning to be realized. Usdan, Minar, and Hurwitz speak to the necessity of multilevel interaction in the following way:

> One thing seems certain: the pressures toward political interaction of elementary-secondary and higher education will increase in the years ahead. The fiscal squeeze alone seems sufficient to bring further evolution in this direction....We are confident of two things: these developments can be ignored only at considerable peril

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19/ The Designing Education for the Future: An Eight-State Project series contains seven volumes prepared by scholars and subject authorities for seven major project conferences (see Selected References for individual volume titles). In like manner, Improving State Leadership in Education has produced at least five documents, also listed at the end of Part One. See also Bernarr S. Furse and Lyle O. Wright, eds., Comprehensive Planning in State Education Agencies. Salt Lake City, Utah: Utah State Board of Education, 1968.

to education; and the common sharing, comparing, and evaluating of experience is a step toward confronting problems on a realistic basis. 20/

States are, indeed, beginning to recognize that in modern society it is neither possible nor desirable to establish and maintain clear-cut lines between politics and education. Sophisticated, ethically defensible political involvement is both necessary and desirable if the goals and purposes of education are to be achieved. The size, scope, and influence of State departments of education are inevitably conditioned by political forces.

A primary example of mutual cooperation among States and between the Federal Government and the States has been the special interstate projects funded under Title V, section 505, of the Elementary and Secondary Education Act, some of which have been mentioned. Since January 1968, the U.S. Office of Education has funded a network of nine regional projects called the Interstate Projects for State Planning and Program Consolidation. Project participants are the State education agencies of all of the States and outlying areas. The network of projects provides an opportunity for contiguous States to work cooperatively on common high-priority problems of management and leadership in State education agencies.

In addition to the nine regional interstate projects, there are a number of section 505 special projects focusing upon a variety of problems common to several States. States that join to collaborate in a special project are in some instances geographically contiguous and in others moved by common functional concerns having nothing to do with geography. To receive section 505 funds, one State agency agrees to assume administrative responsibilities for the project and applies for a grant on behalf of itself and the other participating States.

Among the areas of concern not described previously which are being studied by the States with section 505 funds are the governance of education, State education agency/local education

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20/ Michael D. Usdan, David W. Minar, and Emanuel Hurwitz, Jr., Education and State Politics. New York: Teachers College Press, Columbia University, 1969, p. 9. For an authoritative source book which explains the political structures in which school systems function with applicability to the State level, see Michael Y. Nunnery and Ralph B. Kimbrough, Politics, Power, Polls, and School Elections. Berkeley, California: McCutchan Publishing Corporation, 1971.

agency roles in accountability, environmental education, developing and implementing performance-based teacher education programs and certification policies, State education management of compensatory education programs, inservice training of State board of education members, improving management practices, feasibility of interstate educational resource service centers, and improving the management accountability of State education agencies through changed audit approaches.

A key factor in the ultimate success of many of the ongoing projects in the widespread dissemination of project products. In this regard, formerly limited information programs of State departments generally tend to be moving toward providing interpretations to the public, to legislators, and to the educational community about the facts and conditions of education. There is a greater communication between levels of education.

To further illustrate the trend toward increased coordination among related agencies, the composition and use of the Policy Board and Advisory Committee in the section 505 project entitled The Governance of Education: State Structures, Processes, and Relationships are offered as a significant example. The Ohio Department of Education acts as fiscal agent. A Policy Board comprises the chief State school officers of the States of Ohio, Georgia, and New York. An Advisory Committee consists of 11 persons representing the following organizations: Education Commission of the States, American Association of School Administrators, National Committee for Support of the Public Schools, National Congress of Parents and Teachers, National Association of State Boards of Education, National Education Association, Council of Chief State School Officers, National School Boards Association, National Catholic Education Association, American Federation of Teachers, and the Advisory Commission on Intergovernmental Relations.

In addition to meaningful and cooperative Federal-State relationships which have emerged, the trend toward improved State-local cooperation is also promising. State departments of education are granting local education agencies greater support, responsibility, and freedom. In this regard, Hansen and Ludka speak of increased sensitivity with which State agencies are dealing with local education agencies and give the following illustrations:

> ...granting specific State funds to local education agencies for planning and implementing self-initiated and self-directed educational improvements (as in the Florida Educational Improvement Expense Program); putting State

accreditation on a planning-contract rather than on a supervise-and-check basis (the Colorado accreditation by contract procedure); and placing responsibility for teacher certification under a tripartite arrangement involving the preparing institutions, the local school districts, and the State education agency (the Washington certification project). 21/

Moreover, leadership services in a large number of State departments have developed to the extent that the departments are beginning to concern themselves with the special problems of school districts in highly urbanized areas. Some State education agency officials have commented in congressional testimony and in special reports that large urban school districts have in the past had more advanced planning mechanisms than the State agencies, and been virtually independent of State administration.

3. New departmental approaches to research, development, and evaluation; accountability. State departments of education have been criticized for their isolation from the frontiers of educational research, development, and evaluation activities and, generally, from the contemporary characteristics of education as practiced and administered in local communities. A constraint under which State departments have long functioned has been the lack of resources and of adequate, qualified staff with research and/or evaluation competencies. While research, development, and evaluation activities have been conducted in many State departments for a long time, the overall quality of such activities has inevitably been affected by such constraints. Yet State departments are increasingly providing encouragement and incentive to local systems to go beyond minimal performances.

The trend in several departments is toward a new approach--that of providing guidance and assistance to local school districts in identifying the kinds of research and development work needed. From that point, State departments are looking toward other agencies--many of which are more appropriately staffed or funded--for much of the research, evaluation, and development activities. Such agencies as regional educational laboratories, research and development centers of the U.S. Office of Education, and national organizations (e.g., the Education Commission of the States) are beginning to be

21/ Kenneth H. Hansen and Arthur P. Ludka, "Persistent Problems and New Dilemmas," in Edgar L. Morphet and David L. Jesser, eds., Emerging State Responsibilities for Education. Denver, Colorado: Improving State Leadership in Education, 1970, p. 33.

called upon by State departments to conduct both theoretical and applied research. The State departments are thus providing a service by determining the kinds of research, evaluation, and development work to be done in the local school districts, though the actual research may be performed by other agencies. 22/

Campbell and Sroufe have presented a normative model which calls for the State to perform the role of a research broker rather than that of a basic scientist:

> ...the research role of the department should be to identify educational problems that can be treated through research, to determine what agency, public or private, can best handle the problem, and to see to it that the project is carried out and the results suitably disseminated. State departments can contract, for short periods of time, research talent that is unavailable to them on a yearly basis, and should take full advantage of this additional source of expertise. 23/

Clearly, many of the functions traditionally performed by State departments may now be carried out by, or at least shared with, other organizations.

While the appearance of research units--now frequently combined with planning and evaluation and located in a staff relationship to the chief State school officer--may be indicative of the increasing importance of these functions in departmental organization, the mere existence of a research, planning, and evaluation unit in a department does not always mean that the unit has sufficient personnel and resources to perform adequately. This situation brings up a point made earlier, i.e., a department cannot effectively operate in isolation but must have the active cooperation of and cooperate with related agencies: The local school systems, other State agencies, the legislature, the Governor, Federal education agencies, and many others. On the part of State departments there has been a noticeable lessening of reluctance to

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22/ See, for example, Kenneth H. Hansen, "The State Education Agency at Work," in David T. Tronsgard, ed., Six Crucial Issues in Education. Denver, Colorado: National Association of State Boards of Education, 1972, pp. 31-42.

23/ Campbell and Sroufe, "The Emerging Role of State Departments of Education," p. 86.

solicit, usually on a short-term basis, the services of educational experts, consultants, and critics who are not necessarily associated with public schools or professional education.

Both in State legislature halls and in the professional literature, educational accountability has become a key national issue. At the State level, Governors and legislators are demanding that stricter accountability be applied. Responsible for education in a State, the State education agency is the logical respondent to the increasing demand of its publics for information concerning the operation and outcomes of public education within that State. 24/

Accountability is based on a goal-and-objectives-setting process. There are a number of identifiable factors and components within a comprehensive system that assists school personnel in being accountable for effectiveness and efficiency in education. Among the many components used to address accountability, several key ones are of national concern and include goal-and-objective development, assessment, and evaluation. Some of the factors in accountability which are of increasing importance to the educational publics within the States are human and material resources, process, achievement, and quality.

Based on this current understanding, the Cooperative Accountability Project, a seven-State, 3-year project initiated in April 1972 and financed by funds provided under the Elementary and Secondary Education Act of 1965 (Public Law 89-10, Title V, Section 505), as amended, is dedicated to assisting State education agencies to meet better their responsibilities in accountability and to develop the understanding and skills to meet future needs.

The State Educational Accountability Repository (SEAR) is a feature of the Cooperative Accountability Project. Its purpose is to provide State education agency personnel and interested persons with access to a central source of materials and reports published

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24/ For recent articles describing the concept of statewide accountability from the point of view of two chief State school officers, see Donald D. Woodington, "Accountability From the Viewpoint of a State Commissioner of Education," and John W. Porter, "The Accountability Story in Michigan," both contained in Phi Delta Kappan, 54:95-99, October 1972.

by the various States regarding their practices and procedures for developing and implementing accountability and/or assessment programs. 25/

In terms of disseminating project information, one of the participating States expects to produce a number of articles which will be derived from the publications in SEAR. The first of these documents will contain copies of or excerpts from all enacted State legislation which calls for assessment programs, accountability programs, and/or planning, programming, budgeting systems. 26/ Other reports will follow on a variety of topics.

4. General shifts in departmental orientation. A considerable number of State departments of education have in the past few years undergone changes in their basic orientation. In general, departments have moved away from heavy regulatory responsibilities (e.g., administration of programs, distribution of funds, and evaluation of programs); more time is being allotted to increased leadership responsibilities (e.g., provision of planning services and interagency cooperation) and service activities (e.g., advising, consulting, preparing curriculum guides, and disseminating information) and less to operational and custodial activities. Departments are recognizing that regulatory emphasis and the direct operation of programs and schools may discourage educational improvements and cause segmentation of resources and personnel. The advantages of relegating operational responsibility of special schools to separate boards and commissions are being studied by several departments.

There appears to be a shift from routine service programs to service activities refocused on dissemination activities and demonstration centers. Too, local education agencies are being assisted more in the proper interpretation and use of research findings. Leadership functions are increasingly including services which have relevance to the needs of local school systems and are based on systems management rather than reflecting experiences gained

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25/ For a list of publications contained in the State Educational Accountability Repository, see Phyllis Hawthorne and Gordon Hanson, Bibliography of the State Educational Accountability Repository. Denver, Colorado: Cooperative Accountability Project, 1972.

26/ According to Phyllis Hawthorne, Research Analyst, Division for Planning Services, Wisconsin Department of Public Instruction, approximately 19 States had passed such legislation as of September 1972. At least eight other States are planning to introduce new or revised legislation in 1973. Bills which have passed were found to vary in comprehensiveness from State to State.

in previous school administration. In this regard, McNamara and Smink describe the increasing use of management science techniques to solve State-level educational problems. 27/

State departments are also placing greater emphasis on programs to aid the underprivileged through individual learning, preschool and other readiness programs. Additionally, renewed attention has been given to areas such as preservice and inservice education of teachers, education of the gifted, racial integration, community involvement, and vocational and adult education programs.

Perhaps more important, however, than any of these shifts is the opinion which the State department has of itself. Some observers consider that the concept the department has of its own purpose and program, its major goals, and its priorities, should take precedence over other variables such as structure, support, staff, or executive vision. One such observer is Hansen, who has written:

> The State education agency is often in the last analysis pretty much what it believes itself to be. It may still prize and perform its historic supervisory and regulatory duties, blunting its potential effects by strict subservience to rules and regulations, operating as a routine bureaucracy without any real vision or purpose. More likely, however, the modern State department of education has chosen to move from these traditional and unproductive roles into new roles of leadership and service. 28/

Closely interrelated with the increasing effectiveness of departmental leadership is a needed recognition in many areas of the larger tasks assumed by State departments and more adequate funding required to perform these tasks. In terms of resource allocation, every State legislature is faced with major policy issues with respect to financing the public schools, e.g., whether new public education finance arrangements will involve new forms

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27/ McNamara and Smink, "The Future Role of State Education Departments," pp. 120-121. See also Campbell and Sroufe, "The Emerging Role of State Departments of Education," pp. 76-92, for development of a model for the emerging role of State departments of education.

28/ Hansen, "The State Education Agency at Work," p. 31.

of tax revenue, centralized or decentralized taxing plans and operational responsibilities, general increases in total revenue, and expansion of the categorical aid concept.

Awaiting a Supreme Court determination are a number of recent judicial decisions that making a child's education a function of the wealth of the district in which he resides is unconstitutional because it violates the equal protection clause of the 14th amendment. (The Serrano case in California was the first; Rodriguez in Texas was the first to be decided by a Federal court.) 29/ Posing a new and interesting role for State departments of education is the impinging issue of how best to finance the schools in their States.

As agencies searching for better education and concerned about equal educational opportunity for children, State departments of education must be prepared to offer alternatives and substantiate each proposal with solid facts. They must work closely and effectively with the State legislatures and with Congress as post-Serrano/Rodriguez school finance legislation is developed.

A timely and significant contribution to the field of educational finance has been made by the National Educational Finance Project, a section 505 special project initiated in 1968 and representing the first comprehensive national study of school finance since 1933. The primary purposes of the project have been to: (1) Identify the dimensions of educational need in the Nation; (2) identify target populations with special educational needs; (3) measure cost differentials among different educational programs; (4) relate the variations in educational needs and costs to the ability of school districts, States, and the Federal Government to support education; (5) analyze economic factors affecting the financing of education; (6) evaluate present State and Federal programs for the financing of education; and (7) construct alternative school finance models, both State and Federal, and analyze the consequences of each.

The initial report of findings and recommendations of the National Educational Finance Project was made at a national meeting in late 1971. In an effort to obtain a wider dissemination of those findings and recommendations, the project staff has since

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29/ Serrano v. Priest, 5 Calif. 3, 584; 487 Pac. 2, 1241 (1971); Rodriguez v. San Antonio School District, 337 F. Supp. 280 (1971).

that time conducted a series of regional meetings to which chief State school officers, legislators, leading educators, and interested citizens have been invited.

In progress since July 1972 and extending for 2 years has been a second phase of the National Educational Finance Project which has involved developing prototype materials for States to use in the study and refinement of their State school support programs, designing and field-testing a fellowship training program for State education agency personnel, and conducting a series of school finance research studies. 30/

5. General changes in staffing and department size. State departments of education are playing an important role in the future manpower development at State and regional levels. Reflecting new directions in State departments, there have been changes in the types of personnel who work on educational problems at the State level and in the kinds of positions they fill. State departments seem to have shifted from traditional staff assignments and considerable reliance on subject-matter specialists to specialized professionals who, as members of a team, provide consulting services in areas such as planning and change, centralized data processing, urban problems, regional integration, vocational and adult education, and improved procedures in helping local school districts.

A significant development in State departments has been increasing evidence of employment of personnel on temporary contracts to supplement ongoing departmental activities. By doing so, departments have been able to (1) inject into their programs new ideas, concepts, and skills not readily available from their own permanent staffs; (2) keep the size of their departments to a manageable level; and (3) pay salaries sufficient to attract the particular personnel needed.

There are also beginning to be more provisions for special inhouse task forces and representative advisory committees to conduct important studies and assist in developing and explaining the need for any proposed changes in major policies.

30/ Many of the National Educational Finance Project (NEFP) publications are listed in the Selected References at the conclusion of Part One. For an insightful analysis of fiscal policy as viewed by the former NEFP Director and present project consultant, see R. L. Johns, "The Coming Revolution in School Finance." Phi Delta Kappan, 54:18-22, September 1972.

The use of personnel employed on short-term contracts to supplement planning and development activities of State departments does not appear to have been at the expense of provision of staff development programs for existing personnel. More State departments appear to be retraining and updating their employees in new developments and services.

Until recently, a striking characteristic of most State department of education staffs has been their small size. The meager staffs of State departments in the 1800's clearly hindered overall effectiveness. By 1900 there were only 177 members of State departments throughout the Nation, including chief State school officers. Five States were without any clerical or professional staff members other than the chief State school officer. With shifts in emphasis from statistical compilations to increasing onsite assessments of how local districts met certain criteria of performance and other regulatory functions, additional personnel were required. According to Beach and Gibbs, there were almost ten times as many State department employees in 1930 as there had been in 1900. 31/

Changes in staffing of State departments of education have occurred over the years for a variety of reasons. As noted earlier in this chapter, State departments evolved through the statistical and inspectoral stages into increasing concern with providing leadership and technical assistance to local school districts. This new emphasis necessitated employment of specialists who could provide needed services to local districts.

In the past 25 years, growth in departmental staff size has occurred largely in federally subsidized areas. Prior to the early 1950's, Federal programs were basically limited to vocational education and vocational rehabilitation; these areas accounted for more than half the total department professional staff in at least 33 States. According to Fitzwater, only five departments had more than 50 professionals in other fields of education and 19 departments had fewer than 20 in 1947-48. 32/ Results of a study directed by Chase and Morphet in 1949 estimated that at least two-thirds of all State department professional staff were employed in either the

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31/ Beach and Gibbs, The Personnel of State Departments of Education, p. 6.

32/ C. O. Fitzwater, State School System Development: Patterns and Trends. Denver, Colorado: Education Commission of the States, 1968, p. 49.

vocational education or vocational rehabilitation sections. 33/ Layton also refers to the additional administrative responsibilities thrust upon many departments to operate special schools such as those for the deaf and blind. 34/ Generally, then, the most recent increases in State department staffs are attributed to the large amount of Federal legislation and Federal activity affecting State departments since 1958.

The National Defense Education Act (1958), the Vocational Education Act (1963), and the Elementary and Secondary Education Act (1965) provided funds and programs to be administered at the State level, and therefore required the hiring of many new specialists and consultants to perform duties such as visiting schools, conducting workshops, and finding other means to disseminate their knowledge to the field.

By 1960 more than half the professional staffs in all departments combined were assigned to federally subsidized programs; in 13 States the proportion was over 70 percent. 35/ Departments practically tripled the size of their professional staffs in the decade following passage of the National Defense Education Act.

Even with the growth made possible by Federal funds, most departments were still not considered large. By 1962, only 10 departments had a total professional staff of more than 100, and 21 had fewer than 50. 36/ Title V alone enabled the State departments to create a substantial number of new professional positions. Generally, departments averaged as a result of Title V a 20 percent increase in positions and 12 percent increase in professional staff over the number of respective positions and staff in 1962. 37/

33/ Francis S. Chase and Edgar L. Morphet, The Forty-Eight State School Systems. A Study of the Organization, Administration and Financing of Public Elementary and Secondary Education. Chicago, Illinois: Council of State Governments, 1949. p. 45.

34/ Layton, "Historical Development and Current Status of State Departments of Education," p. 9.

35/ Fitzwater, loc. cit.

36/ Ibid.

37/ Smith, "The Impact of Title V on State Departments of Education," pp. 63-64. Reasons for the discrepancy between number of positions created and number actually filled are explained by Mr. Smith later in his writing.

Table 2 provides 1972 data on the approximate number of full-time professional staff members in the fifty States, the District of Columbia, American Samoa, Guam, Puerto Rico, the Trust Territory of the Pacific Islands, and the Virgin Islands. The full-time professional staff in category A are assigned to the main or headquarters office of the State education agency. Category B includes those full-time professionals assigned to various regional or field offices, if any, of the State agency. With few exceptions, State education agencies in more heavily populated, geographically larger States tend to have, not unexpectedly, more professional staff members assigned to regional offices.

As indicated, neither category A nor category B includes the staff enumerated in category C, i.e., those full-time professionals, local and regional combined, who conduct or work with vocational rehabilitation programs, State museums, State libraries, State archives, and State library extension programs. The project staff felt this three-way breakdown would provide a more accurate and informative portrayal of departmental size than a single figure representing the number of full-time professionals in each State department.

The full-time professional staff assigned to the headquarters office ranges from 28 in the Trust Territory of the Pacific Islands to 972 in New York. Obviously, the size of State departments is eternally changing but is considered an important enough variable to report in this compilation, primarily because complete 1972 data appear to be unavailable from any other sources. 38/

Since this compilation is intended to be more reportorial than analytical, the numerical data presented in table 2 are briefly described but are not subjected to any particular analysis. Definitely, however, complete and comparable data describing the relative size of State departments of education represent a most important variable in exploring a variety of relationships and could feasibly be included in several interesting research adventures.

38/ Prior to this compilation, the last year for which complete and comparable data were available was 1962. See Will, State Education: Structure and Organization, p. 33.

Handicaps and Difficulties

State departments of education today play a vital, strong role in a continuing Federal-State-local partnership. There appears to be a shift taking place from the traditional bureaucratic functions of State departments toward new leadership roles more in line with [redacted] responsive to the demands of contemporary society.

For a variety of reasons, departments of education in some States have traditionally been considered weak, ineffective, and poorly equipped for the vital role they must assume. Generally, Governors and State legislatures have not held State departments in high regard and few of the urban and other large school systems have relied on them for much assistance. As previously noted, however, State departments have come a long way in the past decade in developing a more meaningful role and in improving their services.

Following are four of the many constraints which have commonly prevented departments of education from providing quality leadership and services in the educational establishments of their States.

1. Staffing problems. In many States the program of the State department of education is well defined and the organizational structure is developed in such a way that all types of districts can benefit from the services offered. The real problem comes from the lack of staff to maintain the increasing services expected of them.

Widespread criticisms of State departments of education concerning personnel inadequacies have perhaps been too severe and overly generalized. Yet department leaders themselves admit having difficulty in maintaining an inventory of specific professional capabilities within their departments that are in balance with the educational issues that are or should be receiving major attention at a given point in time.

State departments frequently contend that the problem lies with the legislature and not with the departments themselves. Hansen and Ludka agree that the following complaints of department officials are often justified:

> --that they are not allotted sufficient funds to enable them to attract the most highly qualified personnel; that they must work under inappropriate and outmoded civil service policies which "hamstring" recruitment

Table 2.--Approximate size of full-time professional staffs of State education agencies in designated categories: September 1972

State	Full-time professional staff assigned to the headquarters office 1/ (A)	Full-time professionals assigned to various regional (field) offices of the State agency, if any, scattered throughout the State 1/ (B)	Full-time professionals, local and regional combined, conducting or working with vocational rehabilitation programs, and State museums, libraries, archives, and library extension programs (C)
Total	10,678	3,940	5,366
Alabama	124	3	213
Alaska	52	15	42
Arizona	161	16	106
Arkansas	155	307	165
California	375	106	45
Colorado	94	0	6
Connecticut	121	13	112
Delaware	68	0	0
District of Columbia	2/248	Inapplicable	Inapplicable
Florida	401	42	0
Georgia	345	42	781
Hawaii	165	92	105
Idaho	49	0	0
Illinois 3/	412	56	Not available
Indiana	110	40	0
Iowa	148	0	289
Kansas	124	0	0
Kentucky	203	4/1,209	294
Louisiana 5/	129	87	2
Maine	101	0	27
Maryland	228	0	296
Massachusetts	303	26	0
Michigan 6/	242	0	455
Minnesota	213	12	210
Mississippi	93	0	0
Missouri 7/	135	183	331
Montana	91	0	0
Nebraska	125	0	96
Nevada	44	3	0
New Hampshire	74	312	63
New Jersey	300	135	64
New Mexico	110	3	142
New York 8/	972	19	430
North Carolina	486	30	0
North Dakota	58	0	0
Ohio	9/320	30	0
Oklahoma	159	0	0
Oregon 10/	125	0	0
Pennsylvania	410	76	11/56

See footnotes at end of table.

Table 2.--Approximate size of full-time professional staffs of State education agencies in designated categories: September 1972--Continued

State	Full-time professional staff assigned to the headquarters office 1/ (A)	Full-time professionals assigned to various regional (field) offices of the State agency, if any, scattered throughout the State 1/ (B)	Full-time professionals, local and regional combined, conducting or working with vocational rehabilitation programs, and State museums, libraries, archives, and library extension programs (C)
Rhode Island	86	208	0
South Carolina	280	0	0
South Dakota	47	10	48
Tennessee 12/	278	135	332
Texas	466	58	0
Utah	86	0	105
Vermont	61	9	0
Virginia	210	43	0
Washington	142	0	0
West Virginia	83	34	392
Wisconsin	204	84	1
Wyoming	46	14	0
American Samoa	45	0	9
Guam	115	Inapplicable	20
Puerto Rico	390	368	108
Trust Territory of the Pacific Islands	28	120	21
Virgin Islands	38	0	0
Average	191	-	-

1/ Excludes those full-time professionals enumerated in category (C).

2/ Facts and Figures: 1970-1971, published by the Public Schools of the District of Columbia, p. 16. Positions are primarily concerned with administration.

3/ Figures do not include vocational personnel.

4/ Includes School for the Deaf, School for the Blind, and vocational education.

5/ Numbers indicate unclassified staff members only (classified members under civil service) and do not reflect the total number of State Department of Education staff members. Figures are subject to change upon completion of reorganization of the department.

6/ In addition to figures reported, there are approximately 302 full-time professionals distributed as follows: School for the Blind - 65; School for the Deaf - 80; State Technical Institute - 52; Disability Determination Office - 105.

7/ In addition to these figures, there are approximately 48 professional staff in the School for the Blind and 66 professional staff in the School for the Deaf.

8/ In addition to figures reported, approximately 92 professionals are employed in State schools (deaf and blind).

9/ Includes 102 teachers at the State schools for the blind and deaf.

10/ Not included in figures reported are 96 professionals associated with schools for deaf and blind.

11/ Includes 16 library trainees.

12/ Not included are professional staff (234) associated with special schools.

> and retention of personnel; that they are sometimes pressured to give special consideration to the employment of constituents of certain powerful legislators; that they are either actively discouraged or even prevented from seeking personnel from outside of the State; and that they are forced by State personnel policies regarding travel and leaves of absence to circumscribe the activities of their staff to the extent that--instead of continuing professional growth and development--many of their personnel tend to exhibit, over a period of years, a kind of professional involution and attrition. 39/

Departments still appear to be having difficulty competing with other employers--local school districts, private enterprise, institutions of higher education, and local and Federal government--for the skilled manpower they require. While many staffing difficulties can be traced to present recruiting procedures and comparatively low levels of compensation, the major problem seems to be a lack of other factors (such as realistic opportunities for professional improvement by means of career advancement ladders and staff development programs, including flexible sabbatical policies, increased inservice education, more travel opportunities, and greater possibilities for making a definite impact) which could be seen by prospective staff members as strong positive attractions.

State departments of education have many of the same personnel problems as other organizations at all levels both within and outside the educational establishment. When examined closely, many of the larger problems of such organizations can be traced to the discontent of people working in them. In many instances this discontent is caused by a noticeable lack of some or all of the positive attractions previously noted.

With new demands being made upon departments, it is becoming difficult to recruit, hire, and keep people who can do the work expected of them without varying periods of inservice training. Increasingly aware of this reality, departments are moving toward retraining and updating their employees in new developments and services.

39/ Hansen and Ludka, "Persistent Problems and New Dilemmas," pp. 28-29.

Relative to staffing, State departments can perhaps do more from within their own operating structure to improve conditions, for some departments have regulations and practices which have perpetuated undesirable conditions. Responsible department leaders are beginning to seriously examine their regulations and practices, and the results of their examinations are becoming evident.

To cite an example, several State departments have explored the usefulness of organizational behavior concepts and accompanying staff development techniques (such as team training, temporary systems, data feedback, and use of outside consultants with strong backgrounds in behavioral sciences) to reduce poor communication, polarization and jealousy of staff members in different programs, and generally low departmental morale. 40/

Clearly, State departments need to consider procedures which might develop new sources, new career programs, or new inducements to attract top people with a variety of talents. Given the need for managerial and technical talent at State, Federal, and local educational levels and the increasing pool of unemployed professionals (such as engineering and aerospace talent), there are implications for and possibilities of moving more technology into education and government.

2. Low support level. State legislatures determine the resources of State departments of education through appropriations. Historically, appropriations have been low, and departments have often been forced through lack of funds to operate under workloads that have prevented adequate performance. Often, available resources have been committed to sustaining traditional responsibilities assigned to departments by law while new functions and programs (such as long-range educational planning, research and development, inservice and on-the-job training, and evaluation and assessment of the State system of education) have sometimes been neglected or discouraged. The changing role and emerging functions of State departments have necessitated a substantial investment in leadership activities.

While the allocation of greater financial resources will not solve all departmental problems, it would help State department personnel meet some of their most pressing needs. Good education

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40/ For a discussion of communication within organizations and other behavioral science research concepts, see, for example, Owens, Organizational Behavior in Schools, pp. 215-239.

is recognized to be expensive, and the public has begun to demand that resources allocated to education be used efficiently. It is granted that the quality of education is difficult to measure or define. Regardless of the method of measuring quality, however, a relatively strong relationship exists between expenditure level and quality. That is, expenditure level is considered to be a powerful predictor of quality.

No individuals have been more aware that departments have generally been restricted to routine kinds of managerial and supervisory functions than the chief State school officers themselves. Nevertheless, the fiscal limitations felt by State departments of education go beyond the common complaint that the legislature does not appropriate enough money to provide an effective leadership agency. According to Hansen and Ludka, the basic fiscal problem of State departments "comes from the competing demands that are placed upon the legislature for all kinds of important social services, some of which are much more visible and politically viable concerns than those that are reflected in the activities of the State education agency." 41/

The question of securing adequate State support may involve the larger question of the nature and quality of the departments themselves. In recent years the caliber of personnel and quality and types of activities have tended to create a more favorable image to which legislatures are paying increasing attention. Additionally, departments have improved their ability to translate and communicate their needs (and strategies concerning how the needs can be met) to their legislatures. Budgets in many States are providing information that clearly indicates what goals the State department of education is working toward and what input in dollars is required to realize output in terms of objectives to be attained.

Some State departments of education have been so busily engaged in administering various federally supported programs that they have lacked the professional and technical resources to carry on vigorous programs in areas of State need that are not supported by the Federal Government. Both State and Federal representatives are looking closely at how Federal funds can best be used by State departments and how potential imbalances in overall departmental programs can be avoided.

41/ Hansen and Ludka, "Persistent Problems and New Dilemmas," p. 26.

Criticisms have been aimed at State legislatures regarding the infusion of Federal funds. Campbell and Sroufe observe:

> We have already noted that Federal activities tend to establish the program for many State departments. Our concern is that because of their reliance upon Federal funds the departments have little capability for setting priorities and allocating resources to meet the needs of the State. But it is the State legislature rather than the Federal Government which ought to be held responsible for this situation. Most States have been niggardly in appropriating funds for their departments of education, and much of their present support is tied to matching provisions of the Federal Government. 42/

Hansen and Ludka note that Federal funds have made it possible for State education agencies to undertake many kinds of activities which were previously impossible, but issue the following clarification: "Most of this Federal aid has been of such a tightly structured categorical nature that much of the money has had to be used for the specific activity embodied in the congressional intent reflected in the specific appropriation." 43/

State governments felt the impact of Federal funds for administration in State departments and have responded in a variety of ways. Most States have actively sought to supplement Federal funds with State funds. Winget, Fuller, and Bell interpret the general trend toward increases in both State and Federal funds for State administration at the end of 1967 in the following way: "The State increases reflected the growing total needs of the State agencies; more favorable attitudes toward education by Governors, legislatures, and State governments generally; public pressures based on evidence of good results in the new local programs of education; and a feeling that States should finance State programs better to stay more nearly in control of them." 44/

42/ Campbell and Sroufe, "The Emerging Role of State Departments of Education," pp. 90-91.

43/ Hansen and Ludka, "Persistent Problems and New Dilemmas," p. 27.

44/ Lerue W. Winget, Edgar Fuller, and Terrel H. Bell, "State Departments of Education Within State Governments," in Fuller and Pearson, Education in the States: Nationwide Development Since 1900, pp. 122-123.

It seems logical to believe that this trend--more adequate State resources commensurate with the demands to be met--will continue throughout the decade of the seventies. The lessening of former finance and personnel restrictions by State legislatures and Governors has enabled many departments to capably perform the emerging functions associated with State leadership responsibility.

3. Organizational and legal constraints. In a period of continuous, rapid change, many State departments of education appear to be constrained both internally and externally by organizational problems and legal limitations. Internally, many departments are organized to perform traditional functions that have relatively little applicability to the emerging roles which are possible and necessary for such departments. These traditional functions may conceivably inhibit overall departmental effectiveness.

The basic restrictions imposed upon many State departments are not necessarily legal. That is, departments may be bound up so deeply in traditional and relatively routine tasks that time, personnel, and funds are lacking for the more constructive, creative activities in which they should engage. The routine tasks have left little flexibility for such activities as long-range planning and encouragement of needed change and innovation.

Assuming that State departments are always likely to operate under financial constraints, Layton refers to the lack of unanimity within departments concerning how to maximize their impact with the resources they do have available. He further refers to "the lack of knowledge about which activities are likely to be most effective and under which kinds of circumstances" and he sees this lack as constituting a constraint upon the effectiveness of State departments of education. 45/

Externally, the effective leadership role of some State departments is hampered by the structure of State government. Hansen and Ludka mention two significant restricting factors: (1) The dispersal among separate agencies of State educational responsibilities as opposed to all education being vested in a single agency; and (2) the confusing relationship between educational agencies as a group and other segments of State governance, e.g., in some States, the centralization of all planning in an

45/ Layton, "Historical Development and Current Status of State Departments of Education," p. 16.

agency not within specific operational units (such as health, welfare, and education) with little overall coordination of specific inputs from the operating units themselves. 46/

Rules and regulations of other agencies of State government sometimes create difficulties for State departments of education. For example, occasional problems might result from the control exercised in some States over the department's personnel by a State personnel agency or merit system.

4. Political realities. Hansen and Ludka have observed: "Aloofness from partisan politics is highly desirable, but aloofness from the political system is impossible." 47/ Department leaders who are as sensitive to party priorities as they are to educational priorities are not operating in the best interests of their department, or education generally. Winget, Fuller, and Bell concur with this notion in the following way: "Education has professional purposes and operations that are widely believed to thrive best when removed somewhat from political patronage and other practices commonly associated with the less reputable characteristics of partisan politics." 48/

Public education at local, State, and Federal levels is a significant part of government and is involved in all three of its branches--legislative, executive, and judicial. Although in general State departments of education have historically attempted to avoid political involvement, there is a growing recognition of the impossibility and undesirability of trying to maintain an isolation of education from politics.

An interesting relationship in which State departments of education have historically been involved has to do with rural-urban forces. In the past, State departments tended to provide services primarily to rural areas. Departmental services today, however, are increasingly focused on city and suburban as well as rural areas. This evolving change may be attributed to developments such as (1) population shifts from rural areas toward and around our cities, (2) consolidation of school districts into larger and more adequate basic units of administration, and (3) the Supreme Court decision providing for legislative reapportionment.

46/ Hansen and Ludka, "Persistent Problems and New Dilemmas," p. 29.

47/ Ibid., p. 27.

48/ Winget, Fuller, and Bell, "State Departments of Education Within State Governments," p. 73.

In spite of the fact that State legislatures have gradually been reconstituted and are less heavily weighted in favor of rural areas, some State departments still are considered to be agencies primarily concerned about the smaller school systems throughout the State--and perhaps not particularly concerned with many emerging statewide problems or with the pressing problems of the cities. Hansen and Ludka speak to this idea: "Many State education agencies...have tended to view their operations as primarily concerned with helping the smaller schools and school systems, and continue to present their budgetary case to the legislature largely in terms of the problems of the schools with which most of the legislators are personally familiar and in which they feel a more personal involvement." 49/

Another situation pertains to deciding just where the ultimate responsibility for control of educational matters should reside. People have not often been willing to place educational control fully in the hands of the executive or legislative branches of State governments. Educators have felt that education is a matter which the legislative and executive branches of State government should support, but with which they should not interfere. Hansen and Ludka elaborate:

> ...the State legislature typically sees itself as the governmental entity most closely responsive to the people and entitled to the prerogative of spelling out quite specifically just what the function of education should be, how it should be operated, to whom it should be offered, and how it should be organized and supervised. The executive branch of State government often feels frustrated because, although educational expenditures in most States represent an increasing share of the total State budget, the elected leader and administrative head of the State government--the Governor--has virtually little say about how this large segment of State governmental enterprise is operated. 50/

A general trend during the past 25 years has been toward separation of legislative and executive powers at the administrative level. State boards perform the principal policymaking or legislative functions within the scope of the State laws while

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49/ Hansen and Ludka, "Persistent Problems and New Dilemmas," p. 27.

50/ Ibid., p. 28.

the chief State school officer and his staff perform professional administrative tasks. Will has pointed out that State legislatures, restricted only by constitutional law, can remove public administration almost entirely from the executive sphere of control. State legislatures cannot create extra-constitutional executive powers and duties, but they "can and do create State administrative agencies and delegate administrative powers and duties to them." 51/

State departments of education typically have had a large number of professional personnel operating under sometimes conflicting pressures from local schoolmen and citizens, on the one hand, and restraints by the Governor and legislature, on the other. Being a middleman between State government and local educational agencies can place a State department in a vulnerable position. Winget, Fuller, and Bell describe departmental vulnerability in the following way:

> In addition to the hazards of misunderstandings in such three-way communication, there is a natural tendency for the other parties to accept the praise for successful operations and to place the blame for failures on the middleman. The "legislative oversight" of the legislature and its sensitive relationships with the local constituents of its members make explanations or rebuttals from the department hazardous. 52/

Hansen and Ludka refer to the potentially harmful outcome of State department-legislative-executive conflict over where ultimate responsibility for control of educational matters should reside:

> ...with this three-way political pulling and hauling, many State education agencies are neither very well regarded nor very well supported when the annual or biennial appropriation session rolls around. 53/

51/ Robert F. Will, "Separation of Powers at the Administrative Level." School Life, 43:27, January 1961.

52/ Winget, Fuller, and Bell, "State Departments of Education Within State Governments," p. 113.

53/ Hansen and Ludka, "Persistent Problems and New Dilemmas," p. 28.

Summary

This chapter has sought to investigate selected aspects of recent thinking with regard to State departments of education. Particular attention was given to (1) the historical background and structural evolution of State departments, (2) considerations involved in general departmental organization, (3) an overview of the status, common functions, and discernible trends of many contemporary departments, and (4) identification of some handicaps and difficulties which can and often do limit departmental effectiveness.

CHAPTER II

THE STATE BOARD OF EDUCATION

Development Since 1900

Prior to and immediately following 1900, laws in individual States frequently delineated a number of scattered State boards and officers and assigned to them executive and administrative powers often limited to a single program or purpose, such as the operation of a State educational institution, the management of a State educational fund, the administration of a textbook program, or the regulation of teaching in the public schools. The scattered and ill-defined responsibilities and authority among various State agencies and their administrative officers tended to be confusing in many States. The body possessing the broadest powers under and the most duties for the State system of education came to be identified as the State board of education.

As was noted in chapter I, as State departments of education were made responsible for an increasing number of important activities and services, the chief State school officer (often the sole State department professional employee) needed an increasing number of assistants to help with the additional duties. Closely paralleling the evolving changes in State departments were those in State boards. There has been a trend away from having a single State official in charge of public education and toward the establishment of a State board to reflect lay thinking, establish policies, and determine official action. The move to board management has been coincident with the steadily increasing number and kinds of roles to be performed.

In 1900 there were individual officials in 34 States, about three-fourths of the States existing at that time (45). Today the number of States without a State board has dropped to one--

Wisconsin. 1/ In each of the other States, the District of Columbia, American Samoa, Guam, Puerto Rico, the Trust Territory of the Pacific Islands, and the Virgin Islands, there is a State board of education acting jointly with the chief State school officer to manage the increasingly complex affairs of education. There has developed a fairly widespread notion that such a basically important and extensive enterprise as education requires a representative board. Conclusions reached by the Council of Chief State School Officers support such a philosophy:

> The combination of lay board control and professional administration is a proper democratic process that has stood the test of time. The fact that most States have created a State board of education for the public school system indicates strong public support for an independent, nonpartisan structure at the State administrative level similar to that which exists at the local administrative level. 2/

Beach and Will have contended that a State board of education is more representative of the total population it serves than an individual who serves as the policymaking agent; should be in a position to make wiser and sounder policy decisions than an individual; serves as a safeguard against the abuses of discretionary powers; should help to avoid the involvement of education in partisan politics and the spoils system; provides a safeguard against needless disruption in the continuity of an educational program; and provides an economical and effective means for management and control of the educational program. 3/

1/ On December 15, 1970, the voters of Illinois ratified a new State constitution which in article X, section 2, created a State board of education. However, the number of members, their qualifications, terms of office, and manner of election or selection were not specified. It still remains for the Illinois General Assembly to fix these specifications.

2/ Council of Chief State School Officers, The State Department of Education. A Policy Statement of Guiding Principles for Its Legal Status, Its Functions and the Organization of Its Service Areas. Washington, D.C.: The Council, 1963, p. 5.

3/ Fred F. Beach and Robert F. Will, The State and Education. Washington, D.C.: U.S. Government Printing Office. U.S. Department of Health, Education, and Welfare, Office of Education, Misc. No. 23, 1955, p. 4. See also Ewald B. Nyquist, "State Organization and Responsibilities for Education," in Edgar L. Morphet and David L. Jesser, eds., Emerging Designs for Education. Denver, Colorado: Designing Education for the Future, 1968, p. 154.

Most of the earlier State boards were ex officio in nature, being composed of several elected State officials and usually including the chief State school officer. Many duties assigned to these early boards--such as determining teaching qualifications, promoting education in the State, supervising legal custody of school lands and funds, determining courses of study, selecting textbooks, and handling problems of administration and policy in connection with State operation of special institutions--were those that legislatures were hesitant to delegate to the chief State school officer alone. Describing the rationale for the original existence of State boards of education, Will notes that legislatures acted with some cognizance of human frailties in distributing duties and powers to State boards of education and chief State school officers:

> In general, State legislatures delegate to boards--other than purely advisory boards...--the duties for which broad discretionary powers are considered essential to good public administration. They most frequently delegate ministerial duties, or duties that require the use of little or no discretionary powers, to single officers. 4/

Generally, in the absence of a State board, advocacy of education in a State may be discounted as lacking in full comprehension of the State's total responsibility. State constitutions and statutes have provided a means through which future generations may have their educational needs supplied by a board with authority to take into account the needs and desires of the citizenry. 5/ Of considerable importance is that State boards consist of persons who are deeply interested in the improvement of education, are well informed, and are able to analyze the implications of various alternatives and identify and agree upon the most promising.

4/ Robert F. Will, State Education: Structure and Organization. Washington, D.C.: U.S. Government Printing Office. U.S. Department of Health, Education, and Welfare, Office of Education, OE-23038, Misc. No. 46, 1964, pp. 12-13. See also Lerue W. Winget, Edgar Fuller, and Terrel H. Bell, "State Departments of Education Within State Governments," in Edgar Fuller and Jim B. Pearson, eds., Education in the States: Nationwide Development Since 1900. Washington, D.C.: Council of Chief State School Officers, 1969, p. 75.

5/ Adapted from Dean M. Schweickhard, ed., The Role and Policy-making Activities of State Boards of Education. Report on a Special Study Project. Denver, Colorado: National Association of State Boards of Education, 1967, p. 3.

In general, boards have not proved to be effective in an executive capacity at the administrative level; executive functions at the administrative level tend to be conducted better under the direction of a single officer. Conversely, State boards appear to be more effective than a single officer in a legislative capacity at the administrative level. These tendencies have led to a transition in the role of many State boards of education from that of serving as the executive head of an administrative unit to that of serving as the legislative component of a central education agency. Will has observed:

> A few States still adhere to the practice of maintaining the State board of education as the executive head of an administrative unit to which is delegated responsibility for administrative duties and powers that for various reasons cannot be entrusted entirely to the chief State school officer. Other States have moved toward the legislative policymaking board while retaining the board in an executive capacity for specific programs. In these States, the law places executive responsibility for certain programs with the board, yet restricts the board to legislative functions for others. 6/

Legislative inadequacies in many States have caused many students of State educational administration and some national education organizations to recommend that the authority to appoint the chief State school officer should be a responsibility of a State board of education and that the chief should serve as the board's executive officer. 7/ The general belief is that a State board so empowered will limit its activities to legislative functions; that is, this arrangement tends to allow greater flexibility under State law by precluding the necessity for any precise distribution in the law of administrative powers and duties between the board and the chief State school officer. Even in States where the board does not appoint the chief State school officer, the statutes usually make certain provisions regarding the authority and action of the chief in relation to authority of the board.

6/ Will, State Education: Structure and Organization, p. 14.

7/ See, for example, Council of Chief State School Officers, The State Department of Education, pp. 5-9; Will, State Education: Structure and Organization, p. 14.

Policies and Legislation.--As professional leadership has advanced during the present century, most State boards of education have the authority to formulate or determine administrative-level policies and adopt such rules and regulations as are necessary to carry out the responsibilities assigned to them by the constitution and statutes of the State. In many instances State boards can formulate and approve policies needed to supplement those already prescribed by the legislature for the guidance of the chief State school officer and the staff of the State department of education and of local school districts. Clearly, a primary contribution of school boards and administrators to educational policymaking is to provide programs and services relevant to the needs of their clienteles.

Effective State board operation requires precise legislation regarding assignments of responsibilities to the State board and the chief State school officer. A study of 11 States in 1967 indicated that some State education agencies need further development in their rulemaking procedures and in their statements of policies of operation. The study listed a total of 148 potentially important responsibilities in a complete State system of education that should be assigned by constitution or statute. The survey disclosed that boards of education in the sample States were assigned to act on only 25 percent of the items of responsibility; chief State school officers were delegated responsibility for 13 percent of the items; and in 22 percent of the items the boards and chiefs were assigned shared responsibilities. State legislatures had not delegated clear administrative responsibility for 40 percent of the potentially important educational functions listed. 8/

A Few Past and Present Problems.--Certain administrative problems have been created by (1) boards with more than one executive officer and (2) dual-purpose boards--those with leadership/regulatory board responsibilities over the State system of education and, additionally, governing board responsibilities for one or more educational institutions. State boards of education in some States have traditionally been delegated certain duties for which they are empowered to appoint executive officers that are either not under, or only partly under, the executive direction of the chief State school officer. State board operation of institutions such as vocational schools, special schools for handicapped children, State colleges and universities, and junior and community colleges, occasionally has caused sensitive relationships among the chief State

8/ Schweickhard, The Role and Policymaking Activities of State Boards of Education, p. 32.

school officer as the executive officer of the governing board, the departmental staff, and the administrators charged by the board with the operation of educational institutions. Winget, Fuller, and Bell speak further to the possible difficulties involved in multiple executive officers and coordination of activities:

> The questions that arose under these circumstances were whether the institutional administrator was to be placed under the direction of the executive officer of the board, or whether the board should have more than one executive officer. If arrangements provided in effect or by design for more than one executive officer, the board found it difficult to coordinate its activities of regulatory leadership with its governing board functions. 9/

The tendency of State boards of education to become too involved in administration and less attentive to and hence less competent and comprehensive in important legislative and policy-making responsibilities is a problem in many States. Multiple boards within a single State can also experience difficulties: "Confusion has...been found in conflicting authority among various State boards in administering particular educational programs within the States, such as vocational education, vocational rehabilitation, and construction and financing of school facilities." 10/

Sroufe has observed that State boards of education operate under constraints which prevent their taking an active role in the State policy system, such as these: (1) Board members have almost no relationship to the State's resources; (2) while policy determination is explicit, many board members have no legislative powers--the State legislature is likely to make most education policies; and (3) typical board members at the State level have little influence with the Governor and/or legislature as a source of information, advice, and policy--at the State level the chief State school officer is more often the source. Prescribed to remedy this situation is a representational-political role which

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9/ Winget, Fuller, and Bell, "State Departments of Education Within State Governments," p. 75.

10/ Ibid.

requires that State boards (1) sense the education needs of the public and (2) participate in advocating State policies responsive to those needs. 11/

Recent years have seen improvements in the State governance of public education. Accompanying the growth in scope and complexity of the educational enterprise have been (1) the increasing assignment of responsibility for operation of special institutions to special State boards, and (2) the streamlining of functions of general State boards of education under their own executive officers. 12/

Summarization of State Board Data: September 1972

Of the fifty States, the District of Columbia, American Samoa, Guam, Puerto Rico, the Trust Territory of the Pacific Islands, and the Virgin Islands, only Wisconsin is without a State board of education for the State system of education. (See table 3.) 13/

Forty-six of the other 55 State boards of education serve in the capacity of the State board for vocational education. Nine States--Colorado, the District of Columbia, Illinois, Indiana, Oklahoma, Washington, Wisconsin, Puerto Rico, and the Virgin Islands--have a separate State board for vocational education. (See table 4.) The State board responsible for vocational education (i.e., the State board of education in 46 States, the State board of vocational education in nine States, and the board of regents of the State university in one State) is also responsible for vocational rehabilitation in 35 States and outlying areas. Vocational rehabilitation programs in the remaining 21 States are administered by a separate agency.

Methods of Selecting Members.--The chief methods employed in selecting State board of education members are (1) election by the people or representatives of the people, (2) appointment by the Governor, and (3) ex officio (i.e., by virtue of office or position held).

11/ Gerald E. Sroufe, "State School Board Members and the State Education Policy System." Planning and Changing, 2:16-17, April 1971.

12/ See Winget, Fuller, and Bell, "State Departments of Education Within State Governments," pp. 73-77, for additional discussion of State legislature-State board relationships.

13/ See also footnote 1, p. 54.

Table 3.--The State board of education (SBE). September 1972

States having a SBE for the State system of education	Designation	Chief method of selecting members			Number of members	Term of elected or appointed members, in years[1]	SBE is board for vocational education	SBE is board for vocational rehabilitation
		Elected by the people or representatives of the people (type of election)	Appointed by the Governor	Ex officio (by virtue of office or position held)				
Total	--	17	35	2	514 + 48 ex officio	--	46	32
Alabama	State board of education	Partisan	-	-	8 + 2 ex officio	4	Yes	Yes
Alaska	State board of education	-	X	-	7	5	Yes	Yes
Arizona	State board of education	-	X	-	8 + 1 ex officio	4	Yes	Yes
Arkansas	State board of education	-	X	-	9 + 1 ex officio	9	Yes	No
California	State board of education	-	X	-	10	4	Yes	Yes
Colorado	State board of education	Partisan	-	-	5	6	No	No
Connecticut	State board of education	-	X	-	9 + 1 ex officio	6	Yes	Yes
Delaware	State board of education	-	X	-	6 + 2 ex officio	3	Yes	No
District of Columbia	Board of education	Nonpartisan	-	-	11 + 1 ex officio	4	No	Yes
Florida	State board of education	-	-	X	7 ex officio	4	Yes	No
Georgia	State board of education	-	X	-	10	7	Yes	Yes
Hawaii	State board of education	Partisan	-	-	11	4	[2]/No	No
Idaho	State board of education	-	X	-	7 + 1 ex officio	5	Yes	Yes
Illinois	State board of education	Undetermined - to be decided by Illinois General Assembly			Undetermined	Undet.	Undet.	Undet.
Indiana	State board of education	-	X	-	18 + 1 ex officio	4	No	No
Iowa	State board of public instruction	-	X	-	9	6	Yes	Yes
Kansas	State board of education	Partisan	-	-	10	4	Yes	No
Kentucky	State board of education	-	X	-	7 + 1 ex officio	4	Yes	Yes
Louisiana	State board of education	Partisan	-	-	11 + 1 ex officio	[2]/6,8	Yes	Yes
Maine	State board of education	-	X	-	9	5	Yes	No
Maryland	State board of education	-	X	-	7	5	Yes	Yes
Massachusetts	Board of education	-	X	-	11 + 3 ex officio	5	Yes	No
Michigan	State board of education	Partisan	-	-	8 + 2 ex officio	8	Yes	Yes
Minnesota	State board of education	-	X	-	9	6	Yes	Yes
Mississippi	State board of education	-	-	X	3 ex officio	4	Yes	Yes
Missouri	State board of education	-	X	-	8	8	Yes	Yes
Montana	State board of education	-	X	-	6 + 3 ex officio	5	Yes	Yes
Nebraska	State board of education	Nonpartisan	-	-	8	6	Yes	Yes
Nevada	State board of education	Nonpartisan	-	-	9	4	Yes	No
New Hampshire	State board of education	-	X	-	7	5	Yes	Yes
New Jersey	State board of education	-	X	-	12 + 2 ex officio	6	Yes	No
New Mexico	State board of education	Partisan	-	-	10	6	Yes	Yes
New York	Board of Regents, The University of the State of New York	Legislature	-	-	15	15	Yes	Yes
North Carolina	State board of education	-	X	-	11 + 2 ex officio	8	Yes	No
North Dakota	State board of public school education	-	X	-	7 + 1 ex officio	6	Yes	Yes
Ohio	State board of education	Nonpartisan	-	-	23	6	Yes	Yes
Oklahoma	State board of education	-	X	-	6 + 1 ex officio	6	No	No

Oregon	State board of education	-	X	-	7	7	Yes	No
Pennsylvania	State board of education	-	X	-	17	6	Yes	No
Rhode Island	Board of regents	-	X	-	9	4	Yes	No
South Carolina	State board of education	Legislative delegations	-	-	16	4	Yes	No
South Dakota	State board of education	-	X	-	7	5	Yes	Yes
Tennessee	State board of education	-	X	-	12 + 3 ex officio	9	Yes	Yes
Texas	State board of education	Partisan	-	-	24	6	Yes	Yes
Utah	State board of education	Nonpartisan	-	-	11	4	Yes	Yes
Vermont	State board of education	-	X	-	7	6	Yes	Yes
Virginia	State board of education	-	X	-	9	4	Yes	No
Washington	State board of education	4/	-	-	14 + 1 ex officio	6	No	No
West Virginia	State board of education	-	X	-	9 + 2 ex officio	9	Yes	Yes
Wisconsin	No State board for public elementary and secondary education							
Wyoming	State board of education	-	X	-	9 + 1 ex officio	6	Yes	No
American Samoa	Board of regents	-	X	-	9 + 1 ex officio	2,3	Yes	No
Guam	Territorial board of education	-	X	-	5/7	3	Yes	Yes
Puerto Rico	Commonwealth board of education	-	X	-	8 + 2 ex officio	6	No	Yes
Trust Territory of the Pacific Islands	Micronesia Board of Education	-	High Comm.	-	6 + 1 ex officio	3	Yes	Yes
Virgin Islands	Virgin Islands Board of Education	At large basis	-	-	9 + 1 ex officio	2	No	No

1/ Board members in all States except Florida, Hawaii: and Mississippi serve overlapping terms.

2/ The Board of Regents of the University of Hawaii also serves as the State Board for Vocational Education.

3/ Three elected for overlapping 6-year terms and eight elected for overlapping 8-year terms (from congressional and public service districts).

4/ Elected by members of boards of directors of school districts within their respective congressional districts.

5/ In addition to the seven members appointed by the Governor, there are three advisory members and one board-teacher liaison officer.

Table 4.--Independent State boards for vocational education (SBVE): September 1972

State	Total membership	Members appointed by the Governor			Ex officio members		SBVE is the State board for vocational rehabilitation	Designation of chief executive officer or administrator of SBVE
		Number	Term	Special requirement	Number	Position		
Colorado	9	9	6 years	1 member representing agriculture, 1 member representing labor organizations, 1 member representing business, and 1 member representing proprietary schools	None	Inapplicable	No	Executive secretary, State board for community colleges and occupational education
District of Columbia	9	1/9	3 years	At least 6 members selected from industry, no U.S. residence limitation	None	Inapplicable	No	Executive secretary
Illinois	13	6	Indefinite	None	7 (Active members as specified in school code)	The superintendent of public instruction, the director of registration and education, the director of agriculture, the director of children and family services, the director of labor, the director of mental health, and the director of public health	Yes	1. Executive officer for vocational and technical education (superintendent of public instruction) 2. Executive officer for vocational rehabilitation (director of vocational rehabilitation - employed by board)
Indiana	9	7	Pleasure-Gov.	3 of the 7 are nominated respectively by the general commission, the Indiana Vocational-Technical College board of trustees, and the State association of vocational directors. The 7 are to be familiar with the vocational education needs of management and labor in the State. At least 1 member is representative of junior colleges, technical institutes, or other institutions of higher learning which provide programs of technical or vocational training.	2	Governor and superintendent of public instruction	No	State director of vocational education
Oklahoma	14	6	6 years	The Governor appoints 1 member from each of the 6 congressional districts	8	The superintendent of public instruction, the 6 appointed members of the State board of education, and the director of the department of vocational and technical education	No	1. Chairman (superintendent of public instruction) 2. Executive officer (director of the department of vocational and technical education)

Washington	2/12	3	Pleasure-Gov.	None	3	The superintendent of public instruction, the director of the State board for community college education, and 1 student representative	No	Executive officer and secretary
Wisconsin	3/11	9	6 years	3 employers of labor, 3 skilled employees, and 3 farmers	1	The superintendent of public instruction or his representative	Yes	State director of vocational, technical, and adult education
Puerto Rico	11	4	4 years	Representatives of industry, commerce, labor and the home	7	The secretary of education, the secretary of agriculture, the secretary of commerce, the secretary of labor, the secretary of health, the secretary of social services, and the manager of the economic development administration	No	Executive officer and chairman of the Commonwealth board for vocational and technical education
Virgin Islands	9	8	2 years	4 of the 8 are citizens of St. Thomas, 1 of St. John, and 3 of St. Croix; 1 is a person familiar with the vocational education needs of labor, 1 is representative of the College of the Virgin Islands, and 1 is familiar with the vocational education needs of management	1	Commissioner of education	Yes	Chairman, vice chairman, the commissioner of education serves as secretary

1/ Appointed by the President of the United States.
2/ Includes three members appointed by the State board of education and three from the community college board.
3/ Includes a member of the Industrial Commission selected by the commission, or his representative.

1. Election by the people or representatives of the people. State board of education members are elected in 13 States by popular vote; in eight of these 13 States election is on a party ballot (or in some affiliation with a political party), while the remaining five States provide for nonpartisan elections. Representatives of the people elect State board of education members in four States. In the State of New York (Board of Regents, The University of the State of New York) members are elected by the State legislature; in South Carolina members are elected by legislative delegations of the several counties within each judicial circuit; in the Virgin Islands members are elected by electors on an at-large basis; and in the State of Washington, members are elected by members of boards of directors of school districts within their respective congressional districts.

Over the years educators have tended to favor the elective method of selecting board members because it is considered to be in accord with American traditions.

There are certain factors that complicate the elective method: (1) Board members elected by partisan ballot may tend to represent the point of view that supported their election (even in a nonpartisan election, some candidates may be sponsored by groups with special interests); (2) relatively few persons who do not have the backing of a special interest group or a political party are willing or able to meet the expenses of a statewide campaign for a position that offers little or no compensation; (3) there is a danger that some politically ambitious people could become candidates primarily to promote their own interests; and (4) in the absence of substantial war chests, there is the difficulty of properly informing the voters about the various candidates. 14/

14/ Kenneth H. Hansen and Edgar L. Morphet, "State Education Agencies: Some Emerging Alternatives," in Edgar L. Morphet and David L. Jesser, eds., Emerging State Responsibilities for Education. Denver, Colorado: Improving State Leadership in Education, 1970, p. 48. For further discussion concerning advantages and disadvantages of prevalent patterns of selecting State board members, see, for example, Sroufe, "State School Board Members and the State Education Policy System," pp. 15-23; Edwin M. Bridges, Elected Versus Appointed Boards: The Arguments and the Evidence. Springfield, Illinois: Office of the Superintendent of Public Instruction, 1972, pp. 1-10.

2. Appointment by the Governor. In 35 States the Governor appoints all or a majority of members of the State board of education. The Governor appoints all members in 16 of these States; in the remaining 19, the law designates some ex officio members in addition to the Governor's appointees. The chief State school officer is an ex officio member of 22 of 27 State boards that have ex officio members and the only ex officio member of 14 of these 27.

Despite (1) the increase in the number of States in which the State board members are elected by the people and (2) the fact that students of State educational administration generally favor the selection of board members by the elective method--the main disadvantage of the appointment procedure being the lack of opportunity for public expression of support of candidates--the Governor appointment method has retained much support and has certain advantages. Will has observed:

> The Governor can constitute the board without cost to State government. With the power to appoint, the Governor is given the opportunity to select persons whose judgment and ability he respects. Since the State board must work closely with the Governor in his capacity as chief executive officer of the State, a board whose members are appointed by the Governor is in a better position to press for needed educational improvements and support through the executive branch of government than a board constituted by other means. 15/

The appointive power of the Governor is usually limited by requiring confirmation of his appointments by the State legislature or one of its houses, a State council, or a special advisory committee. In 29 of the 35 States in which the Governor appoints a majority of the members of the State board of education, his appointive power is so limited. In one of these States--New Hampshire--the law actually provides tnat the members of the State board be appointed by the Governor and council; the council consists of five members elected by its qualified voters on a partisan ballot, one from each of five districts, and acts in an advisory capacity to the Governor.

15/ Will, State Education: Structure and Organization, p. 15.

In some of the States which have traditionally had Governor-appointed State board members in the past 25 years, the Governor has continued to exercise considerable influence in State educational administration and rulemaking. In others, however, there may have been signs of developing trends toward political bipartisanship and decreased gubernatorial influence in education-related policies.

3. Ex officio. Over the years there has been a trend away from State boards of education consisting entirely of ex officio members. While a majority of the boards existing at the turn of the century were wholly or mostly ex officio, only two of 55 (Florida and Mississippi) had boards composed entirely of ex officio members in September 1972. Similarly, 35 State boards had some ex officio members in 1920, but by 1962 only 16 State boards had any ex officio members at all. 16/ As of September 1972, 27 of the 55 State boards had ex officio members. (See tables 3 and 5.) Among these, the chief State school officer was an ex officio member in 22 States, the chief executive officer of the statewide coordinating higher education agency was the ex officio member in seven, and the Governor in five, with other State officers and representatives of institutions of higher education serving in fewer instances.

According to Will, the ex officio method of constituting a board or selecting board members is a carryover from the 19th century when several State officials were called upon by the legislature to administer State programs that could not in good conscience be delegated to a single officer. 17/ Today, the ex officio method is justified primarily for two considerations: To facilitate coordination of State education activities with other State governmental functions, and to promote harmonious relationships in educational administration.

As has been noted, the chief State school officer is an ex officio member of the State board of education in 22 of the 27 States that provide for ex officio members and is the only ex officio member in 14. The tabulation which follows includes the positions held by ex officio members serving on State boards of education and the number involved:

16/ Ibid., p. 18.
17/ Ibid., p. 17.

Position	Number
Chief State school officer	22
Chairman, chancellor, or chief executive officer of statewide coordinating higher education agency	7
Governor	5
Attorney General	3
Secretary of State	2
State Treasurer	2
State Comptroller	1
Commissioner of Agriculture	1
Lieutenant Governor	1
President, State university	1
President, State college	1
Director of Research, Advisory Council on Education	1
Chairman, Student Advisory Council	1
Total	48

Ex officio members of State boards of education frequently serve on other boards, commissions, and committees in the State. Considering the responsibilities that devolve upon the offices to which these officials are appointed or elected, this may reasonably be expected to limit the attention they can give to their duties as members of the State board of education. Nevertheless, the trend in the decade since 1962 has been toward increasing ex officio membership on State boards of education (see table 5).

As indicated in table 3, only two methods of selecting State board members have become widely prevalent: (1) Appointment by the Governor and (2) election by the people or their representatives. Both methods have strong support and strong opposition. In this regard, Winget, Fuller, and Bell have observed: "Lacking substantial evidence of which system is best for any given State or all States as a whole, much of the conflict has merely reflected opinions." 18/ Considerable difficulty would be involved in attempting to objectively measure the effectiveness of these methods, for each has succeeded and each has failed, depending on variables such

18/ Winget, Fuller, and Bell, "State Departments of Education Within State Governments," p. 78.

Table 5.--Ex officio members of State boards of education for selected years

Ex officio members	Number of ex officio members in--				
	1/1940	1/1950	1/1954	2/1962	1972
Total.....	59	43	36	35	48
Governor.....	15	9	8	7	5
Chief State school officer.....	24	19	17	16	22
Other State officials...	20	15	11	12	21
Number of State boards of education having ex officio members....	27	21	17	16	3/27

1/ Fred F. Beach and Robert F. Will, The State and Education: The Structure and Control of Public Education at the State Level. Washington, D.C.: U.S. Government Printing Office. U.S. Department of Health, Education, and Welfare, Office of Education, Misc. No. 23, 1955, p. 30.

2/ Robert F. Will, State Education: Structure and Organization. Washington, D.C.: U.S. Government Printing Office. U.S. Department of Health, Education, and Welfare, Office of Education, OE-23038, Misc. No. 46, 1964, p. 18.

3/ Because the membership of the Illinois State Board of Education is still undetermined (to be decided by General Assembly), Illinois could not be considered for this total. (See narrative summary for Illinois.)

as qualifications and perspectives of members who may be chosen, conditions in the States, and traditions. Sroufe speaks of the inadequacies of both methods in the following:

> The selection process itself restricts the capability of the board to perform the representation function. Whether appointed or elected, partisan or nonpartisan,

> the selection is in the hands of a relatively few interested parties. The selection procedures are not corrupt, but they are unfortunate....even board members' "intense activity" involved relations with the prominent education interest groups only and left the larger public unrepresented. 19/

Term of Office.--The fixed terms of members of State boards of education range from 2 years in the Virgin Islands to 15 years in New York. 20/ Terms of 4 and 6 years are most common, being employed in 16 and 15 States, respectively. (See table 3.)

Students of State educational administration tend to believe that the term of office of members of the State board of education should be long enough to allow several years of informed public service, yet not too long to weaken the representative character of the board. They believe that terms of members should overlap in order that the board may, after its initial period of organization, have a continuity of experience and a seasoned majority at all times.

In States where board members are appointed by the Governor, consensus seems to favor a term of office of board members at least as long as the Governor's; overlapping terms can provide needed stability and continuity for educational programs and preclude the Governor from reconstituting the entire board during any single year he is in office. In most such States, the Governor can rarely expect to appoint a majority of the board during his time in office. 21/

These views suggest a term of office of about 4 years. The utility of a term longer than 4 years depends on a number of intervening variables which must be weighed carefully in each State.

19/ Sroufe, "State School Board Members and the State Education Policy System," p. 20. For additional discussion of prevailing conditions which affect the production of a uniformly high yield of well-qualified individuals for State boards of education by either method, see Bridges, Elected Versus Appointed Boards: The Arguments and the Evidence, pp. 1-10. (See footnote 14, p. 64.)

20/ Appointment of members to the American Samoa Board of Regents is for staggered terms of 2 or 3 years.

21/ See, for example, Will, State Education: Structure and Organization, p. 18; Sroufe, "State School Board Members and the State Education Policy System," p. 21.

Compensation and Officers.--The compensation of State board members and titles and terms of board officers for the several States are shown in table 6. Expenses (in most cases travel and subsistence) but no compensation for days in attendance at board meetings and/or time spent in the performance as a State board member were paid in 19 of the 54 22/ States and other jurisdictions.

In the remaining 35, compensation in the form of an amount per diem--in some instances not to exceed a fixed annual sum or in other cases applicable for a maximum number of days--was specified. While many variations were evident, per diem amounts for most board members ranged from $15 to $30.

Size.--The number of members on State boards of education as of September 1972 ranged from three in Mississippi to 24 in Texas. (See table 7.) 23/ Forty-four of the 54 24/ State boards of education had from five to 11 members. Twelve boards had nine members and 11 boards (including Florida) had seven members.

Regardless of the size of the board, there is an obvious need for cohesiveness and a sense of corporate unity. Most students of State school administration agree that the State board of education should be large enough to represent the people adequately, yet small enough to enable all members to take an active part in the deliberations essential to sound policymaking.

Summary

In this chapter the data collected regarding State boards of education in the several States, the District of Columbia, American Samoa, Guam, Puerto Rico, the Trust Territory of the Pacific Islands, and the Virgin Islands have been presented and described. The first

22/ Totals are given for 54 States and outlying areas since Wisconsin has no State board for public elementary and secondary education and the consistency of the Illinois State board is still undetermined.

23/ State boards in Mississippi (three members) and Florida (seven members) are not included in table 7 because all members of both boards are ex officio.

24/ See footnote 22.

section of the chapter contains a discussion relative to the development of State boards since 1900 and includes mention of (1) policy development as a major responsibility of State boards and (2) a few problems which many boards have experienced at various times.

Following the first section, pertinent State board data are summarized and presented under the following categories: (1) Methods of selecting members, (2) term of office, (3) compensation and officers, and (4) size.

Table 6.--The State board of education (SBE): Compensation and officers, September 1972

States having a SBE for the State system of education	Designation	Compensation of board members[1/]	Board officers	
			Titles	Terms
Alabama	State board of education	$10 for 25 days, expenses paid	President, vice president, secretary/executive officer	V.pres.-1 yr., others-virtue of office
Alaska	State board of education	Travel and per diem, expenses paid	Chairman, vice chairman	Pleasure-SBE
Arizona	State board of education	Travel and subsistence	President, vice president	1 year
Arkansas	State board of education	$15 per diem in-State, $21 per diem out of State, expenses paid	Chairman, vice chairman	1 year
California	State board of education	Travel expenses	President, vice president	1 year
Colorado	State board of education	Expenses paid	Chairman, vice chairman	2 years
Connecticut	State board of education	Expenses paid	Chairman	2 years
Delaware	State board of education	$25 per day, expenses paid	President, vice president	1 year
District of Columbia	Board of education	Not to exceed $1,200 per annum	President, vice president, executive secretary	Pres., v.pres.-1 year, exec.sec.-tenured pos.
Florida	State board of education	Expenses paid	Chairman, secretary/executive officer	4 years
Georgia	State board of education	$20 per diem, expenses paid	Chairman; vice chairman; chairman, appeals	1 year
Hawaii	State board of education	$50 per day, travel fares, and $30 per day for board and lodging when traveling to island other than home island	Chairman, vice chairman	1 year
Idaho	State board of education	$25 per day, expenses paid	President, vice president, secretary	1 year
Illinois	State board of education	Undetermined - to be decided by Illinois General Assembly		Undetermined
Indiana	State board of education	$25 per diem, expenses paid	Chairman	2 years
Iowa	State board of public instruction	$30 per diem, travel, expenses paid	President, vice president	2 years
Kansas	State board of education	$10 per diem, $25 per day subsistence for in-State meetings, actual travel and subsistence expenses for out of State meetings, authorized mileage rate	Chairman, vice chairman	2 years
Kentucky	State board of education	$25 per diem, expenses paid	Chairman	1 year
Louisiana	State board of education	Not less than $10 nor more than $25 per diem, travel and other expenses	President, vice president	1 year
Maine	State board of education	Per diem, expenses paid	Chairman	1 year
Maryland	State board of education	Travel, expenses paid	President, vice president	1 year
Massachusetts	Board of education	Expenses paid	Chairman, vice chairman	1 year
Michigan	State board of education	$60 per day (president - $70) for a maximum of 75 days, expenses paid	President, vice president, secretary, treasurer	2 years
Minnesota	State board of education	$25 per day, expenses paid	President	1 year
Mississippi	State board of education	Expenses paid	Chairman	4 years
Missouri	State board of education	$25 per day, expenses paid	President, vice president	Pleasure-SBE
Montana	State board of education	$20 per day, expenses paid	President, secretary	4 years
Nebraska	State board of education	Expenses paid	President, vice president	2 years
Nevada	State board of education	Expenses paid	President, vice president	1 year
New Hampshire	State board of education	Expenses paid	Chairman	1 year
New Jersey	State board of education	Expenses paid	President, vice president	1 year
New Mexico	State board of education	$20 per diem, mileage paid	President, vice president, secretary	2 years
New York	Board of Regents, The University of the State of New York	Expenses paid	Chancellor, vice chancellor	3 years
North Carolina	State board of education	Per diem, expenses paid	Chairman, vice chairman	1 year
North Dakota	State board of public school education	$30 per day, expenses paid	Chairman	1 year

Ohio	State board of education	$58.08 per day, expenses paid	President, vice president	2 years
Oklahoma	State board of education	$25 per day, travel expenses	President	4 years
Oregon	State board of education	$20 per day, travel, expenses paid	Chairman, vice chairman	1 year
Pennsylvania	State board of education	Travel, expenses paid	Chairman, SBE; Chairman, Council of Basic Education; Chairman, Council of Higher Education	Pleasure-Gov.
Rhode Island	Board of regents	Expenses paid	Chairman, vice chairman, secretary	2 years
South Carolina	State board of education	$25 per diem, mileage (9 cents per mile)	Chairman, vice chairman	1 year
South Dakota	State board of education	$20 per day, expenses paid	President, vice president	1 year
Tennessee	State board of education	$15 per day, travel expenses	Chairman	Pleasure-Gov.
Texas	State board of education	Expenses paid	Chairman, vice chairman, secretary	2 years
Utah	State board of education	$600 per year, travel expenses	Chairman, vice chairman	1 year
Vermont	State board of education	$15 per diem, expenses paid	Chairman	2 years
Virginia	State board of education	$25 per diem, expenses paid	President	2 years
Washington	State board of education	Expenses paid	President, vice president, secretary	Pres.-4 yr., v.pres.-1 yr., sec.-pleas., SBE
West Virginia	State board of education	$50 per diem, expenses paid	President, vice president, secretary	1 year
Wisconsin	No State board for public elementary and secondary education			
Wyoming	State board of education	$10 per day; travel, per diem, and mileage	Chairman, vice chairman, secretary	1 year
American Samoa	Board of regents	Travel expenses specified by law	Not yet designated	2 and 3 years
Guam	Territorial board of education	Expenses paid	Chairman, vice chairman	1 year
Puerto Rico	Commonwealth board of education	$50 per diem not to exceed $1,200 annually	Chairman	2 years
Trust Territory of the Pacific Islands	Micronesia Board of Education	Expenses paid	Chairman	Pleasure-SBE
Virgin Islands	Virgin Islands Board of Education	$30 per diem, travel expenses	Chairman, vice chairman	2 years

1/ Compensation is applicable to days in attendance at board meetings and/or time spent in the performance of duties as a member of the board.

Table 7.--Distribution of States having a State board of education, by number of board members: September 1972

Number of board members[1]	States[2]
5.....	Colorado
6.....	Delaware, Oklahoma, Trust Territory of the Pacific Islands
7.....	Alaska, Guam, Idaho, Kentucky, Maryland, New Hampshire, North Dakota, Oregon, South Dakota, Vermont
8.....	Alabama, Arizona, Michigan, Missouri, Montana, Nebraska, Puerto Rico
9.....	American Samoa, Arkansas, Connecticut, Iowa, Maine, Minnesota, Nevada, Rhode Island, Virginia, Virgin Islands, West Virginia, Wyoming
10.....	California, Georgia, Kansas, New Mexico
11.....	District of Columbia, Hawaii, Louisiana, Massachusetts, North Carolina, Utah
12.....	New Jersey, Tennessee
14.....	Washington
15.....	New York
16.....	South Carolina
17.....	Pennsylvania
18.....	Indiana
23.....	Ohio
24.....	Texas

1/ Ex officio members not included.

2/ Florida and Mississippi not shown because all members of the SBE are ex officio. Illinois not shown because the number of members on the SBE is to be decided by the Illinois General Assembly. (See narrative summary for Illinois.)

CHAPTER III

THE CHIEF STATE SCHOOL OFFICER

General Remarks and Overview of Chapter

Every State has established by constitutional provision or by statute a position commonly referred to as that of "chief State school officer." (See table 8.) Considered to be State government officials as well as professionals in education, chief State school officers are usually called commissioners (18) or superintendents of public instruction (23); some are superintendents of schools (4), of education (3), or of public education (2); directors of education (4); or secretaries of education (2).

In most States, the chief State school officer serves as (1) the executive officer of the State board of education, (2) the administrative head of the State department of education, and (3) the chief administrative officer of the State for executing the laws, rules, and regulations relating to education which arise under the State constitution, State statutes, or policies of the State board of education. Generally, while State boards have increasingly performed principal policymaking and legislative functions within the scope of State laws, chief State school officers and their staffs have performed the professional administrative tasks.

In former years the position of chief State school officer in many States demanded little prestige, was considered political, and provided a fairly low salary. As the importance of competent State leadership came to be recognized, however, the situation began to change significantly.

Functioning within State governments and dealing with Federal and local governments on an intergovernmental basis, chief State school officers clearly occupy a crucial and significant leadership position in the educational enterprise. Hansen and Morphet have observed that the challenging responsibility facing chief State school officers in every State "is to provide insightful and effective leadership in planning and conducting continuous studies that

Table 8.--The chief State school officer (CSSO): September 1972

State	Title	Method of selection			Term	Relationship to State board of education	
		Elected by popular vote (type of ballot)	Appointed by State board of education (SBE)	Appointed by Governor		Ex officio member	Official capacity
Total	--	19	28	9	--	--	--
Alabama	Superintendent of education	-	X	-	Pleasure-SBE	Yes	Secretary and executive officer
Alaska	Commissioner of education	-	X	-	Not to exceed 5 years	No	Principal executive officer of the SDE, at head of which is SBE
Arizona	Superintendent of public instruction	Partisan	-	-	4 years	Yes	Executive officer
Arkansas	Director of education	-	X	-	Pleasure-Gov.	Yes	Ex officio secretary
California	Superintendent of public instruction	Nonpartisan	-	-	4 years	No	Secretary and executive officer
Colorado	Commissioner of education	-	X	-	Pleasure-SBE	No	Secretary
Connecticut	Secretary of the State board of education and commissioner of education	-	X	-	Pleasure-SBE	No	Secretary
Delaware	Superintendent of public instruction	-	X	-	1 year	No	Executive secretary
District of Columbia	Superintendent of schools	-	X	-	3 years	Yes	Seat on the board, right to speak but not to vote
Florida	Commissioner of education	Partisan	-	-	4 years	Yes	Secretary and executive officer
Georgia	Superintendent of schools	Partisan	-	-	4 years	No	Executive officer
Hawaii	Superintendent of education	-	X	-	Pleasure-SBE	No	Secretary
Idaho	Superintendent of public instruction	Partisan	-	-	4 years	Yes	Administrative officer
Illinois	Superintendent of public instruction	-	X	-	4 years	Undet.	Undetermined
Indiana	Superintendent of public instruction	Partisan[1]	-	-	2 years	Yes	Chairman of each of 3 commissions into which SBE is divided
Iowa	Superintendent of public instruction	-	X	-	4 years	No	Executive officer
Kansas	Commissioner of education	-	X	-	Pleasure-SBE	No	Executive officer
Kentucky	Superintendent of public instruction	Partisan	-	-	4 years	Yes	Executive officer
Louisiana	Superintendent of public education	Partisan	-	-	4 years	Yes	Ex officio secretary and executive officer
Maine	Commissioner of educational and cultural services	-	-	X	Coterminous-Gov.	No	Secretary
Maryland	Superintendent of schools	-	X	-	4 years	No	Chief executive, secretary, and treasurer
Massachusetts	Commissioner of education	-	X	-	Pleasure-SBE	No	Secretary and chief executive officer
Michigan	Superintendent of public instruction	-	X	-	Pleasure-SBE	Yes	Chairman
Minnesota	Commissioner of education	-	X	-	4 years	No	Executive officer and secretary
Mississippi	Superintendent of education	Partisan	-	-	4 years	Yes	Chairman
Missouri	Commissioner of education	-	X	-	Pleasure-SBE	No	Chief administrative officer
Montana	Superintendent of public instruction	Partisan	-	-	4 years	Yes	Secretary
Nebraska	Commissioner of education	-	X	-	Pleasure-SBE	No	Executive officer and secretary
Nevada	Superintendent of public instruction	-	X	-	Pleasure-SBE	No	Secretary
New Hampshire	Commissioner of education	-	X	-	Pleasure-SBE	No	Chief executive officer and secretary
New Jersey	Commissioner of education	-	-	X	5 years	No	Official agent and secretary
New Mexico	Superintendent of public instruction	-	X	-	Pleasure-SBE	No	Chief administrative officer
New York	Commissioner of education	-	X	-	Pleasure-Regents	No	Chief administrative officer
North Carolina	Superintendent of public instruction	Partisan	-	-	4 years	No	Secretary and chief administrative officer

North Dakota	Superintendent of public instruction	Nonpartisan	-	-	4 years	Yes	Executive director and secretary
Ohio	Superintendent of public instruction	-	X	-	Pleasure-SBE	No	Secretary; executive and administrative officer
Oklahoma	Superintendent of public instruction	Partisan	-	-	4 years	Yes	President and executive officer
Oregon	Superintendent of public instruction	Nonpartisan	-	-	4 years	No	Legislative liaison, interagency liaison, and executive officer
Pennsylvania	Secretary of education	-	-	X	Pleasure-Gov.	No	Chief executive officer
Rhode Island	Commissioner of education	-	X	-	Pleasure-Regents	No	Executive officer
South Carolina	Superintendent of education	Partisan	-	-	4 years	No	Secretary and administrative officer
South Dakota	Superintendent of public instruction	Nonpartisan	-	-	2 years	No	Ex officio secretary and executive officer
Tennessee	Commissioner of education	-	-	X	Pleasure-Gov.	Yes	Chairman
Texas	Commissioner of education	-	X	-	4 years	No	Executive secretary
Utah	Superintendent of public instruction	-	X	-	Pleasure-SBE	No	Executive officer
Vermont	Commissioner of education	-	X	-	Pleasure-SBE	No	Chief executive officer and secretary
Virginia	Superintendent of public instruction	-	-	X	Coterminous-Gov.	No	Secretary
Washington	Superintendent of public instruction	Nonpartisan	-	-	4 years	Yes	President; executive and administrative officer
West Virginia	Superintendent of schools	-	X	-	Pleasure-SBE	Yes	Chief executive officer
Wisconsin	Superintendent of public instruction	Nonpartisan	-	-	4 years	No SBE	No SBE
Wyoming	Superintendent of public instruction	Partisan	-	-	4 years	Yes	Assists board in performance of its duties and responsibilities
American Samoa	Director of education	-	-	X	Indefinite	Yes	Executive officer, Board of Vocational Education
Guam	Director of education	-	X	-	Pleasure-SBE	No	Executive secretary
Puerto Rico	Secretary of education	-	-	X	Pleasure-Gov.	Yes	Attends meetings, with voice but no vote
Trust Territory of the Pacific Islands	Director of education	-	-	High Comm.	2 years	Yes	Executive officer
Virgin Islands	Commissioner of education	-	-	X	Coterminous-Gov.	Yes	Secretary

1/ A constitutional amendment which went to the voters in November 1972 continues the constitutionality of the office but leaves to the General Assembly the manner in which the Superintendent is elected, his term of office, and his duties.

provide the basis and rationale for proposing goals, policies, and priorities for the improvement of education--or at least of elementary and secondary education--in the State." 1/

This chapter emphasizes selected factors and conditions that tend to influence the character of the office and have a bearing on the kind and quality of professional educational leadership likely to be found in any State; for example, the procedures utilized in selecting the chief State school officer, the term of office, the level of salary authorized, and the relationship of the chief State school officer to the State board of education.

Methods of Selection

The three different methods of selecting chief State school officers which have been employed since 1920 are (1) election by the people, (2) appointment by the State board of education, and (3) appointment by the Governor. 2/

Election by Popular Vote.--Thirty-five States had a chief State school officer elected to office by popular vote at some time from January 1, 1900, to September 1, 1972. At the end of

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1/ Kenneth H. Hansen and Edgar L. Morphet, "State Organization for Education: Some Emerging Alternatives," in Edgar L. Morphet and David L. Jesser, eds., Emerging State Responsibilities for Education. Denver, Colorado: Improving State Leadership in Education, 1970, pp. 49-50.

2/ During the first two decades of the 20th century, two additional methods of selection--appointment by the State legislature and appointment by ex officio designation--were used in a few States but ceased after 1919 due to inherent weaknesses. For discussion of difficulties in justifying these two methods, see, for example, Lerue W. Winget, Edgar Fuller, and Terrel H. Bell, "State Departments of Education Within State Governments," in Edgar Fuller and Jim B. Pearson, eds., Education in the States: Nationwide Development Since 1900. Washington, D.C.: Council of Chief State School Officers, 1969, pp. 93-94.

this period, 19 States 3/ were still using this method. (See table 9.) In 13 of these States the chief State school officer was elected on a partisan ballot and in two States the term was only 2 years.

Election by popular vote, usually on a partisan ballot, was the prevalent method of selecting chief State school officers before 1900. Although students of government and State educational administration have been in agreement for over half a century that it is undesirable to select the chief State school officer by popular vote, the practice has persisted. One reason for the continuance of various forms of election is the fact that the office of the chief State school officer generally has constitutional status. (See table 10.) 4/ Difficulties in amending many State constitutions have served to perpetuate the elective method. In addition, the notion that the person elected to the office represents the will of a majority of the voters and is responsive to them has prevailed over the years.

Other arguments that are generally used to defend the election of chief State school officers include: (1) Election by partisan ballot practically assures that the person so elected will obtain the support of his party in making changes in education; (2) election by popular vote can cause the chief to have considerable influence with the Governor and other elected officials, yet not

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3/ Although elected by popular vote continuously since before the turn of the century, the chief State school officer in Illinois will be appointed by the State board of education upon expiration of the 4-year term of the incumbent elected in 1970. Consequently the Illinois Superintendent of Public Instruction was included in the "appointed by State board of education" column rather than the "elected by popular vote" column in table 8.

4/ In the 19th century, people often placed the office of chief State school officer in the State constitution to protect it from abolition and, additionally, to give it a higher status within most State governments than it would have received otherwise. This status was not confined to elected State officials, however, for table 10 indicates that there were 14 board-appointed and five Governor-appointed chief State school officers classified as constitutional officers as of September 1972. See Robert F. Will, State Education: Structure and Organization. Washington, D.C.: U.S. Government Printing Office. U.S. Department of Health, Education, and Welfare, Office of Education, OE-23038, Misc. No. 46, 1964, pp. 20-22; Winget, Fuller, and Bell, "State Departments of Education Within State Governments," p. 94.

Table 9.--The chief State school officer (CSSO) elected by popular vote: January 1900 to September 1972

State	Interval during which law provided for CSSO elected by popular vote	Source and year[1/] of legal provision for elected CSSO, constitutional and/or statutory, by year
Alabama	1900 to 1969	Constitution, 1867 (R)
Arizona	1912 to 1972	Constitution, 1912 (P)
Arkansas	1900 to 1931	Statute, 1875
California	1900 to 1972	Constitution, 1850 (P)
Colorado	1900 to 1948	Constitution, 1876 (P)
Florida	1900 to 1972	Constitution, 1886 (R)
Georgia	1900 to 1972	Statute, 1894; Constitution (Amendment), 1896
Idaho	1900 to 1972	Constitution, 1890 (P)
Illinois	1900 to 1972	Statute, 1854; Constitution, 1870 (R)[2/]
Indiana	1900 to 1972	Constitution, 1851 (R)
Iowa	1900 to 1913	Statute, 1864
	1917 to 1953	Statute, 1917
Kansas	1900 to 1966	Constitution, 186[illegible]
Kentucky	1900 to 1972	Constitution, 1850 (R)
Louisiana	1900 to 1972	Statute, 1847; Constitution, 1852 (R)
Michigan	1900 to 1964	Constitution, 1850 (R)
Mississippi	1900 to 1972	Constitution, 1868 (R)
Missouri	1900 to 1945	Constitution, 1865 (R)
Montana	1900 to 1972	Constitution, 1889 (P)
Nebraska	1900 to 1953	Statute, 1869; Constitution, 1875 (R)
Nevada	1900 to 1956	Constitution, 1864 (P)
New Mexico	1912 to 1958	Constitution, 1912 (P)
North Carolina	1900 to 1972	Constitution, 186[illegible] (R); Amended Constitution, 1971
North Dakota	1900 to 1972	Constitution, 1889 (P)
Ohio	1900 to 1914	Statute, 1853
Oklahoma	1907 to 1972	Constitution, 1907 (P)
Oregon	1900 to 1961	Statute, 1872
	1965 to 1972	Revised Statutes, 1965, 1972
South Carolina	1900 to 1972	Constitution, 1868 (R)
South Dakota	1900 to 1972	Constitution, 1889 (P)
Texas	1900 to 1949	Constitution, 1869 (R)
Utah	1900 to 1950	Constitution, 1896 (P)
Virginia	1902 to 1928	Constitution, 1902 (R)
Washington	1900 to 1972	Constitution, 1889 (P)
West Virginia	1900 to 1958	Constitution, 1863 (P)
Wisconsin	1900 to 1972	Constitution, 1848 (P)
Wyoming	1900 to 1972	Constitution, 1890 (P)

1/ The year in which the constitution, constitutional amendment, or statute was passed or approved is not necessarily the year in which the legal provision for electing the chief State school officer by popular vote was put into effect. Quite often the date for the first election was set in the future. For this reason the year that the first incumbent took office may not be the year in which the legal provision for the elective office was passed or approved.

Key: R - Year constitution was ratified
P - Year of proclamation of admission to the United States

2/ On December 15, 1970, the voters of Illinois ratified a new constitution. Section 2(b) of article X, which authorizes the State board to appoint the Superintendent of Public Instruction, takes effect no later than the end of the term of the Superintendent of Public Instruction elected in 1970.

be dominated by their views; and (3) persons elected will be reasonably familiar with existing needs and problems because the selection is limited to candidates from within the State. 5/

Although constitutional status continues to provide a basis for independence and political influence for some chief State school officers, Will has observed that arguments generally used in defense of the elective method are not decisively substantiated by evidence supporting the establishment of the position as an elective office. Furthermore,

> Official reports and accounts of contemporaries would indicate that constitutional provisions for the popularly elected chief State school officer resulted more from a strong public sentiment to insure the establishment and continuance of the office than any preconceived notions or plans affirming the wisdom of such action from a working standpoint. Significantly, constitutional provisions for the chief State school officer elected by popular vote generally direct the State legislature to prescribe this official's powers and duties. 6/

Major criticisms of the popular election method of selecting the chief State school officer focus upon the potentially harmful influence of party politics upon State education policy. Discussion of educational issues in a political campaign could become emotional and irrational. Table 8 indicates that as of September 1972, six of the 19 States which elected their chief State school officers provided for nonpartisan or no-party elections to discourage political interference in State educational matters.

Other objections to the popular election method generally center upon conditions that tend to discourage many competent and well-qualified persons from seeking office, e.g., the cost of financing a campaign, the fact that no person from another State regardless of his qualifications is eligible for consideration, and the pressures brought to bear by active supporters of a

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5/ Hansen and Morphet, "State Organization for Education: Some Emerging Alternatives," p. 52.

6/ Will, State Education: Structure and Organization, pp. 21-22.

Table 10.--The constitutional chief State school officer (CSSO): September 1972

States in which CSSO is constitutional officer	Article of constitution, by title, in which office of CSSO is established	Method of selecting CSSO	Date of next election, by month and year	Term of office
Alabama.....	Executive	B	In.	Pleasure-SBE
Arizona.....	Executive Department	EP	Nov. 1974	4 years
California.....	Education	EN	Nov. 1974	4 years
Colorado.....	Education	B	In.	Pleasure-SBE
Florida.....	Executive Department	EP	Nov. 1972	4 years
Georgia.....	Education	EP	Nov. 1974	4 years
Hawaii.....	Education	B	In.	Pleasure-SBE
Idaho.....	Executive Department	EP	Nov. 1974	4 years
Illinois.....	Education	B	In.	4 years
Indiana.....	Education	EP	Nov. 1972	2 years
Kansas.....	Education	B	In.	Pleasure-SBE
Kentucky.....	The Executive Department	EP	Nov. 1975	4 years
Louisiana.....	Public Education	EP	Feb. 1976	4 years
Michigan.....	Education	B	In.	Pleasure-SBE
Mississippi.....	Education	EP	Nov. 1975	4 years
Missouri.....	Education	B	In.	Pleasure-SBE
Montana.....	Executive Department	EP	Nov. 1972	4 years
Nebraska.....	Education	B	In.	Pleasure-SBE
Nevada.....	Education	B	In.	Pleasure-SBE
New Mexico.....	Education	B	In.	Pleasure-SBE
New York.....	Officers and Civil Departments	B	In.	Pleasure-Regs.

North Carolina...	Executive	EP	Nov. 1972	4 years
North Dakota.....	Executive Department	EN	Nov. 1972	4 years
Ohio.....	State Board of Education; Superintendent of Public Instruction	B	In.	Pleasure-SBE
Oklahoma.....	Executive Department	EP	Nov. 1974	4 years
Oregon.....	Education and School Lands	EN	Nov. 1974	4 years
Pennsylvania.....	Executive Department	G	In.	Pleasure-Gov.
South Carolina...	Executive Department	EP	Nov. 1974	4 years
South Dakota.....	Executive Department	EN	Nov. 1972	2 years
Utah.....	Education	B	In.	Pleasure-SBE
Virginia.....	Education	G	In.	Coterminous-Gov.
Washington.....	The Executive	EN	Nov. 1972	4 years
West Virginia....	Education	B	In.	Pleasure-SBE
Wisconsin.....	Education	EN	Apr. 1973	4 years
Wyoming.....	Executive	EP	Nov. 1974	4 years
American Samoa...	Executive Departments	G	In.	Indefinite
Puerto Rico.....	Education	G	In.	Pleasure-Gov.
Virgin Islands...	Education	G	In.	Coterminous-Gov.

Key: B - Appointed by State board of education
E - Elected by popular vote
P - Partisan ballot
N - Nonpartisan ballot
G - Appointed by Governor
In. - Inapplicable
SBE - State board of education
Regs. - Board of regents
Gov. - Governor

successful candidate for patronage appointments and the resulting tendency for elected educational leaders to become as sensitive to party priorities as they are to educational priorities. 7/

Table 9 indicates that after 1900, only six States--Arizona, Iowa, New Mexico, Oklahoma, Oregon, and Virginia--provided for a chief State school officer to be elected by popular vote. More specifically, only Iowa and Oregon have ever returned to an elected chief State school officer after abandoning that method of selection.

Appointment by the State Board of Education.--Among the three methods of selecting the chief State school officer, appointment by the State board of education has continuously increased from three States in 1896 to 28 8/ as of September 1972. (See table ...) Twenty-nine States had a chief State school officer appointed or elected by the State board of education at some time from January 1900 to September 1972. Three States--Alaska, Massachusetts, and Rhode Island--changed the method of selecting the chief State school officer from appointment by the State board of education to appointment by the Governor during this period, but all subsequently returned to the board-appointment method.

Arguments in favor of board-appointed chief State school officers usually focus upon the idea that such chiefs are more likely to have a nonpartisan position in relation to politics and can be regarded more as educators and less as political figures by the public. Too, proponents of this method tend to feel that (1) as a policy-determining body a board should be able to select its executive officer and hold him responsible for recommendations concerning policy alternatives and policy implementation, and (2) the board should be in a better position than the voters to select a competent, qualified person--not necessarily a resident of the State--to serve as chief State school officer. 9/

7/ For additional inquiry into possible advantages and disadvantages of the popular election method, see, for example, Hansen and Morphet, "State Organization for Education: Some Emerging Alternatives," p. 52; James B. Conant, Shaping Educational Policy. New York: McGraw-Hill Book Company, 1964, pp. 36-37.

8/ This figure officially becomes 28 (see table 8) in 1975, when an Illinois constitutional amendment will change the elective method to appointment by the State board of education (unless some other State adopts a different method before then).

9/ Hansen and Morphet, "State Organization for Education: Some Emerging Alternatives," p. 50.

Among possible disadvantages of the board-appointment method of selecting chief State school officers are (1) an incompetent board could select an equally incompetent, irresponsible chief State school officer, and (2) the Governor, the legislature or the people may think that a board-appointed chief weakens executive control or that education is too far removed from accepted political processes of the State. 10/

It is obviously highly desirable that State law establishing the structure for the central education agency in a given State make express provisions for a workable separation of powers--the State board as the legislative policymaking component and the chief State school officer as the executive/administrative component--at the administrative level. Noting that New York was the first State to establish a central education authority under law that provided a distinct separation of powers at the administrative level, Will has observed that laws in many other States have not always provided for this separation. 11/

Appointment by the Governor.--The data in table 12 show that 18 States and other jurisdictions had a chief State school officer appointed by the Governor at some time from January 1900 to September 1972. At the end of this period nine States and other jurisdictions continued to use this method: Maine, New Jersey, Pennsylvania, Tennessee, Virginia, American Samoa, Puerto Rico, the Trust Territory of the Pacific Islands, and the Virgin Islands. Excepting the Virgin Islands, whose board members are elected on an at-large basis, the Governor of each of the other eight appoints State board members in addition to the chief State school officer. Four of the nine--New Jersey, Pennsylvania, Tennessee, and American Samoa--have used the gubernatorial appointment method over the entire period. 12/

In 1949 Maine changed the method of selecting its chief State school officer from appointment by the Governor to appointment by the State board of education, but effective July 1, 1972, the State returned to the Governor-appointed method. (See tables 11 and 12.)

Although appointment of the chief State school officer by the Governor is used by considerably fewer States and outlying areas than the other two methods of selection, there are strong advocates

10/ Ibid., p. 51.
11/ Will, State Education: Structure and Organization, pp. 25-26.
12/ Historical information regarding selection of former chief State school officers in the Trust Territory of the Pacific Islands was not available.

Table 11.--The chief State school officer (CSSO) appointed by the State board of education (SBE): January 1900 to September 1972

State 1/	Interval during which law provided for CSSO appointed by SBE	Source of legal provision
Alabama	1969 to 1972	Constitutional Amendment 284, ratified 1969
Alaska	1958 to 1959	Proclamation of Admission, 1958
	1967 to 1972	School Laws of Alaska, 1967, sec. 1, ch. 96
Arkansas	1931 to 1972	Acts of Arkansas, 1931, Act 1969; School Laws of Arkansas, 1971, Act 38
Colorado	1948 to 1972	Constitutional Amendment, 1948; Session Laws of Colorado, 1949, ch. 153
Connecticut	1900 to 1972	Laws 1865
Delaware	1919 to 1972	Laws of Delaware, 1919, Title Eleven, ch. 156
District of Columbia	1900 to 1972	Act June 6, 1900, ch. 789, sec. 1, 31 Stat. 554 (565); June 20, 1906, 34 Stat. 317, ch. 3346, sec. 3; April 22, 1968, Public Law 90-292, sec. 3(d), 82 Stat. 102; D.C. Code, 1971, sec. 31-105
Hawaii	1900 to 1959	Territorial Organic Act of 1900
	1959 to 1972	Proclamation of Admission, 1959; Hawaii Rev. Stat., ch. 296, sec. 296-2, September 1971
Iowa	1953 to 1972	Laws of the 55th General Assembly, ch. 114; ch. 58, 62, sec. 257.11; 61st General Assembly, ch. 68, sec. 13
Kansas	1966 to 1972	Constitutional Amendment, 1966, Art. 6, sec. 4
Maine	1949 to 1972	Laws of Maine, 1949, ch. 403
Maryland	1916 to 1972	Laws of Maryland, 1916, ch. 506
Massachusetts	1900 to 1919	Laws 1837, 241, sec. 2
	1947 to 1972	Acts and Resolves of Massachusetts, 1947, ch. 652

See footnote at end of table.

Table 11.--The chief State school officer (CSSO) appointed by the State board of education (SBE): January 1900 to September 1972--Continued

State 1/	Interval during which law provided for CSSO appointed by SBE	Source of legal provision
Michigan	1964 to 1972	The Constitution of the State of Michigan of 1963 (effective January 1, 1964)
Minnesota	1919 to 1972	Laws of Minnesota, 1919, ch. 334
Missouri	1945 to 1972	Constitutional Amendment, 1945; Laws of Missouri, 1945, p. 1643
Nebraska	1955 to 1972	Constitutional Amendment, 1952; Laws of Nebraska, 1953, ch. 320
Nevada	1956 to 1972	Constitutional Amendment, 1956; Statutes of Nevada, 1957, ch. 49
New Hampshire	1919 to 1972	New Hampshire Laws, 1919, ch. 106
New Mexico	1958 to 1972	Constitutional Amendment, 1958
New York	1910 to 1972	Education Law of 1910, Art. 4, sec. 91
Ohio	1953 to 1972	Constitutional Amendment, 1953
Oregon	1961 to 1965	Regular Session, 1961, House Bill 1068
Rhode Island	1900 to 1935	Laws of 1870
	1951 to 1972	Rhode Island Acts and Resolves, 1951, ch. 2752; Public Laws of Rhode Island, 1969, ch. 231
Texas	1949 to 1972	Acts 1949, ch. 299
Utah	1950 to 1972	Constitutional Amendment, 1950; Laws of Utah, 1951, 1st Special Session, ch. 17
Vermont	1913 to 1972	Laws of Vermont, 1912, No. 62
West Virginia	1958 to 1972	Constitutional Amendment, 1958
Guam	1952 to 1972	Original Government Code of Guam, enacted by Public Law 88 of the first Guam Legislature; Public Law 8-71 established current procedures

1/ The chief State school officer in Illinois will be appointed by the State Board of Education upon expiration of the 4-year term of the incumbent elected in 1970.

Table 12.--The chief State school officer (CSSO) appointed by the Governor: January 1900 to September 1972

State	Interval during which law provided for CSSO appointed by Governor	Source of legal provision
Alaska	1959 to 1967	Regular session, 1959, House Bill 114 (passed April 3, 1959)
Delaware	1913 to 1919	Laws of Delaware, 1913, title sixth, ch. 106
Iowa	1913 to 1917	Laws of Iowa, 1913, ch. 103
Maine	1900 to 1949 1972	Law approved April 17, 1854 Act S.P. 721 - L.D. 2010, approved March 1972, effective July 1, 1972
Maryland	1900 to 1916	Laws of Maryland, 1900, ch. 428
Massachusetts	1919 to 1947	General Acts of Massachusetts, 1919, ch. 350
Minnesota	1900 to 1919	An act to amend title one of chapter thirty-six of the general statutes, in relation to State superintendent of public instruction, approved March 9, 1867
New Hampshire	1900 to 1919	Revised School Code, 1892
New Jersey	1900 to 1972	Public Law 1889, ch. V
Ohio	1914 to 1953	Ohio Laws, 1914, vol. 104, p. 225
Pennsylvania	1900 to 1972	An act to separate the State and school departments, approved April 18, 1857
Rhode Island	1935 to 1951	Public Laws of Rhode Island, 1935, ch. 2188
Tennessee	1900 to 1972	An act to establish and maintain a uniform system of public schools, passed and approved, March 1873
Virginia	1928 to 1972	Constitutional Amendment, 1928; Acts 1928, p. 1188
American Samoa	1900 to 1972	Code of American Samoa
Puerto Rico	1949 to 1972	Elective Governor Act for Puerto Rico, ch. 490, sec. 3, 61 Stat. 771; Constitution, 1952, Art. IV, sec. 5
Trust Territory of the Pacific Islands	Not available	Not available
Virgin Islands	1917 to 1972	1921 Codes, Title 1, ch. II; Act Leg. Assem. approved January 25, 1940 (Bill No. 1), ch. 2 (School Law of 1940); Governor's Ex. Ord. No. 9, secs. 2(a), 14, effective July 21, 1955, issued under authority of sec. 16(a) of the Revised Organic Act of the Virgin Islands, approved July 22, 1954 (48 U.S.C., sec. 1597(a)); January 27, 1967, No. 1840, Sess. L. 1967, p. 9; June 26, 1968, No. 2252, sec. 2(a), Sess. L. 1968, pt. II, p. 68; August 18, 1969, No. 2527, Sess. L. 1969, p. 242

of gubernatorial appointment in various areas. 13/ Arguments in favor of appointment by the Governor usually begin with the assumption that the Governor can appoint and give full support to a competent leader. Other arguments mentioned are that (1) general control of State government by the appointing Governor tends to facilitate statewide planning and coordination, and (2) a chief State school officer appointed for a term longer than that of the Governor and removable only for cause is somewhat free from short-term political pressures. 14/

Critics of the gubernatorial appointment method contend that it makes the chief State school officer politically dependent on the Governor. As a result of such dependence, a chief State school officer may benefit from the Governor's influence on behalf of education or, conversely, suffer from the Governor's unenthusiastic attitude toward it, or an opposition legislature's general hostility toward the Governor's programs. In addition, the State board of education in such a situation may tend to lose influence and at best become a weak advisory body. 15/

Few, if any, objective measures of the relative merits of the three methods of selecting chief State school officers are possible. The particular organizational patterns or administrative devices used cannot guarantee the success of chief State school officers or the departments of education which they administer. In this regard Winget, Fuller, and Bell have observed: "There have been both successful and unsuccessful chief State school officers under all leading systems of organization and administration, perhaps because the best system cannot itself make an incompetent person successful and the worst system cannot prevent success by the most competent." 16/

13/ For an account of one State which recently returned to the practice of gubernatorial appointment of its chief State school officer, see the narrative description for Maine in Part Two of this compilation.

14/ Hansen and Morphet, "State Organization for Education: Some Emerging Alternatives," p. 51.

15/ Ibid.

16/ Winget, Fuller, and Bell, "State Departments of Education Within State Governments," p. 93.

Term of Office

The chief State school officers of 32 of the 50 States, the District of Columbia, and five outlying areas have a legally fixed term of office in years. The terms range from 1 year in Delaware to 5 years in Alaska and New Jersey. 17/ Of the remaining 29 States, three provide for 2-year terms, one for a 3-year term, 22 for 4-year terms, and three for terms coterminous with those of their Governors.

All 19 chief State school officers elected to office by popular vote have legally fixed terms: Two have 2-year terms and 17 have 4-year terms. Of the 13 other chief State school officers having legally fixed terms, eight are appointed by the State board of education and five by the Governor. (See table 8.)

Most students of State educational administration agree that it is sound practice to make provision in the law for a fixed term in years for the chief State school officer. Will speaks further to this notion:

> Regardless of the method employed to select a chief State school officer, he should have some security while in office to exercise his powers and conduct his duties without fear of dismissal at the unlimited discretion of a superior agency or officer. He should not be placed in the position of serving at the pleasure of the Governor or the State board of education. Where the State Governor can dismiss the chief State school officer without showing cause, the educational affairs of the State cannot be removed from partisan politics. Where the State board of education can dismiss the chief State school officer without showing cause, the board or individual members of the board may be encouraged at times to intrude upon the professional sphere of administrative control. Dismissal without cause under any conditions is incompatible with democratic ideals. 18/

17/ The Commissioner of Education in Alaska may serve "a term of office not to exceed 5 years."

18/ Will, State Education: Structure and Organization, p. 26.

The length of term ought to be such that the chief State school officer is given adequate time to effectuate his policies and programs and the appointing authority is provided sufficient opportunity to evaluate his leadership.

Salary

The salaries of chief State school officers for 1964, 1969, and 1972 are given in table 13. The figures at the bottom of table 13 show the median salary for each year. Table 13 also indicates the numerical rank of each salary. As the salaries were being arranged in rank order, the project staff found that occasionally two or more chief State school officers received the same compensation. When tied salaries occurred, each was assigned the average of the ranks which would have been assigned had no ties occurred. 19/ For example, for 1972, the salaries of chief State school officers in California and Colorado were tied for 12th place ($35,000); since California and Colorado together accounted for the 12th and 13th States in order of rank, 12 and 13 were averaged, giving 12.5 for California and 12.5 for Colorado. Then Delaware ($34,000) was assigned the 14th rank since 13 States were ranked above it.

In like manner the 1972 salaries of chief State school officers in seven States were tied for 35th place ($25,000); since the seven States account for the 32d through 38th States in order of rank, 32, 33, 34, 35, 36, 37, and 38 were averaged, giving 35 for each of the seven States. Then New Mexico ($24,960) was assigned the 39th rank since 38 States were ranked above it.

In 1964 the salaries of chief State school officers varied from $8,500 to $40,000, a range of $31,500. The salaries differed in 1969 from $12,500 to $45,000, which produced a range of $32,500. Then the salaries as of July 1972 ranged from $13,750 to $51,275, or a $37,525 spread.

19/ For a discussion of data ranking, rank order averaging in case of ties, and accompanying statistical techniques which may be used, see, for example, Sidney Siegel, Nonparametric Statistics for the Behavioral Sciences. New York: McGraw-Hill Book Company, Inc., 1956, pp. 202-213.

Table 13.--Salary of chief State school officer, by State: 1964, 1969, 1972

State	1/ 1964		2/ 1969		3/ 1972	
	Amount	Rank	Amount	Rank	Amount	Rank
Alabama	$10,000	52.0	$15,000	53.0	$23,500	42.5
Alaska	17,000	27.5	27,500	17.0	33,000	16.0
Arizona	13,000	44.0	17,000	48.0	4/17,000	53.5
Arkansas	12,000	47.5	18,000	46.5	22,000	47.0
California	22,500	6.5	25,000	23.5	35,000	12.5
Colorado	20,500	10.0	30,000	9.5	5/35,000	12.5
Connecticut	20,860	9.0	29,000	14.0	6/35,736	11.0
Delaware	20,000	12.5	30,000	9.5	34,000	14.0
District of Columbia	7/26,000	3.0	8/30,000	9.5	9/38,500	6.0
Florida	19,500	15.5	34,000	3.0	36,000	10.0
Georgia	17,500	25.5	22,500	32.0	28,000	26.5
Hawaii	18,500	19.5	30,250	5.0	33,275	15.0
Idaho	10,000	52.0	12,500	56.0	18,000	51.5
Illinois	20,000	12.5	30,000	9.5	30,000	20.5
Indiana	18,000	22.0	18,000	46.5	25,000	35.0
Iowa	14,000	40.0	23,000	28.5	26,000	31.0
Kansas	10,000	52.0	27,500	17.0	29,012	24.0
Kentucky	12,000	47.5	20,000	40.0	22,500	44.5
Louisiana	17,000	27.5	26,530	19.0	26,530	30.0
Maine	16,000	30.5	20,000	40.0	23,500	42.5
Maryland	22,500	6.5	32,500	4.0	38,300	7.0
Massachusetts	27,500	2.0	30,000	9.5	30,000	20.5
Michigan	18,500	19.5	30,000	9.5	39,550	5.0
Minnesota	17,500	25.5	23,500	27.0	29,400	23.0
Mississippi	12,500	45.0	16,000	49.5	22,100	46.0
Missouri	21,555	8.0	28,000	15.0	36,504	9.0
Montana	8,500	55.0	13,750	55.0	10/13,750	56.0
Nebraska	14,000	40.0	19,000	44.5	21,900	48.0
Nevada	13,800	42.0	22,080	34.0	23,664	40.0
New Hampshire	16,500	29.0	20,748	38.0	23,554	41.0
New Jersey	24,500	5.0	30,000	9.5	38,000	8.0
New Mexico	15,900	32.0	22,000	35.0	11/24,960	39.0
New York	40,000	1.0	45,000	1.0	51,275	1.0
North Carolina	18,000	22.0	26,000	21.0	28,500	25.0
North Dakota	10,200	50.0	16,000	49.5	18,000	51.5
Ohio	25,000	4.0	40,000	2.0	40,000	3.0
Oklahoma	15,000	36.0	19,500	42.0	25,000	35.0
Oregon	17,700	24.0	24,000	25.5	25,000	35.0
Pennsylvania	20,000	12.5	30,000	9.5	30,000	20.5

See footnotes at end of table.

Table 13.--Salary of chief State school officer, by State: 1964, 1969, 1972--Continued

State	1/1964		2/1969		3/1972	
	Amount	Rank	Amount	Rank	Amount	Rank
Rhode Island	$18,777	18.0	$23,000	28.5	$40,500	2.0
South Carolina	15,000	36.0	20,000	40.0	30,000	20.5
South Dakota	9,000	54.0	15,000	53.0	12/15,000	55.0
Tennessee	15,000	36.0	25,000	23.5	25,000	35.0
Texas	20,000	12.5	27,500	17.0	31,500	17.5
Utah	16,000	30.5	24,000	25.5	27,468	28.0
Vermont	13,100	43.0	22,700	30.0	25,000	35.0
Virginia	19,500	15.5	26,000	21.0	13/31,500	17.5
Washington	14,000	40.0	22,500	32.0	22,500	44.5
West Virginia	12,000	47.5	22,500	32.0	39,900	4.0
Wisconsin	18,000	22.0	21,000	37.0	14/21,000	49.0
Wyoming	12,000	47.5	15,000	53.0	17,000	53.5
American Samoa	15,000	36.0	19,200	43.0	28,000	26.5
Guam	15,000	36.0	15,750	51.0	19,000	50.0
Puerto Rico	19,000	17.0	19,000	44.5	25,000	35.0
Trust Territory of the Pacific Islands	Not avail.	-	26,000	21.0	25,000	35.0
Virgin Islands	15,665	33.0	21,098	36.0	26,700	29.0
Median	17,000		23,000		27,084	

1/ Robert F. Will, State Education: Structure and Organization. Washington, D.C.: U.S. Government Printing Office. U.S. Department of Health, Education, and Welfare, Office of Education, OE-23038, Misc. No. 46, 1964, p. 27. Statistics exclude the Trust Territory of the Pacific Islands.

2/ Council of Chief State School Officers, September 1969.

3/ Council of Chief State School Officers, July 1972.

4/ Will become $24,000, effective January 1, 1973.

5/ Five percent increase to be considered in October 1972.

6/ Will become $36,036, effective September 15, 1972.

7/ Public Law 88-575, Title II, Section 201(1), 78 Statute 882, September 2, 1964.

8/ Public Law 90-319, Section 2(2), 82 Statute 135, May 27, 1968.

9/ District of Columbia Code, Section 31-1501, 1971, p. 572.

10/ Will become $17,500, effective January 1, 1973.

11/ Will become $25,980, effective July 1, 1973.

12/ Will become $16,000, effective January 1, 1973.

13/ Will become $33,075, effective July 1, 1973.

14/ Will become $25,000, effective July 2, 1973.

NOTE.--Because the District of Columbia is not a member of the Council of Chief State School Officers, salary data were obtained from other sources.

It would seem to be of obviously fundamental importance that the salary of the chief State school officer should be sufficiently high to attract and employ a well qualified educational leader who can maintain a favorable status and public image for education in his relationships with the Governor, the legislature, the profession, and the public.

Various reviews and analyses of chief State school officer salaries have been conducted over the years, and the results have tended to be generally discouraging. Concern has been expressed that the salary paid the chief State school officer in all but a few States is the ceiling of the salary schedule for the staff he directs. Such salary ceilings for the chiefs have imposed a handicap in attracting and recruiting top professional personnel for many State departments of education. 20/

Historically, many chief State school officers and their professional staffs have not received salaries comparable with those of persons having equivalent preparation, experience, and ability in other areas of education. A few of the earlier salary reviews used the hypothesis that the chief State school officer should receive a salary comparable to that of any other educational officer in the State, e.g., presidents of State universities and local district superintendents. 21/

Table 13 indicates that changes have occurred in all States and that between 1964 and 1972 the median salary for chief State school officers increased from $17,000 to $27,084. Some of the increases have been substantial, others quite modest, but as the footnotes indicate, the trend is upward.

20/ For a detailed review of salaries of chief State school officers and citations of many previous studies, see Winget, Fuller, and Bell, "State Departments of Education Within State Governments," pp. 98-107.

21/ See, for example, Walter D. Cocking and Charles H. Gilmore, Organization and Administration of Public Education, Advisory Committee on Education, Staff Study No. 2. Washington, D.C.: U.S. Government Printing Office, 1938, p. 83.

Relationship to the State Board of Education

The relationship of the chief State school officer to the State board of education can be an important factor in the successful and effective operation of a State system of education. A number of State legislatures have enacted laws broadly referring to the chief State school officer/State board of education relationship. For example, among other powers, the chief State school officer is frequently authorized to (1) recommend to the State board such policies and rules as he deems necessary; (2) prepare for the State board the proposed budget of the State department of education; and (3) establish and maintain, under the policies of the State board, a system of personnel administration for the department staff. 22/

Such designations as "secretary," "executive officer," "chief administrative officer," "chairman," "executive secretary and treasurer," and "official agent" are used in the laws of most States to denote the chief State school officer's relationship to the State board, without clearly identifying or defining the powers and duties of these particular offices. (See table 8.) Since State boards of education usually are authorized to govern their own internal affairs, board rules and regulations frequently determine the way in which they organize, create board offices, and prescribe the powers and duties of their officers.

The primary responsibility of a chief State school officer is to exercise a role of leadership regardless of his particular title or official capacity used in the law. Such factors as good judgment regarding priority matters, keeping the board informed, and a good sense of timing tend to facilitate effective State board/chief State school officer relationships.

22/ Specific, detailed references to the official relationship of the chief State school officer to the State board are usually not contained in the laws of most States. For further discussion of the State board/chief State school officer relationship, see, for example, Council of Chief State School Officers, The State Department of Education. A Policy Statement of Guiding Principles for Its Legal Status, Its Functions and the Organization of Its Service Areas. Washington, D.C.: The Council, 1963, pp. 5-9.

Summary

In this chapter, summary tables and accompanying discussion have focused upon selected information regarding the chief State school officer. Following general introductory remarks, the current methods of selection--election by popular vote, appointment by the State board of education, and appointment by the Governor--were emphasized. Final sections of the chapter included discussion of the following variables as they pertain to the chief State school officer: Term of office, salary, and relationship to the State board of education.

CHAPTER IV

STATEWIDE COORDINATING AGENCIES FOR HIGHER EDUCATION: A BRIEF OVERVIEW

Introduction

As the size, complexity, and cost of public higher education have grown, many States have moved in the past two decades from separate boards of trustees for the government and administration of each institution of higher education to the creation of central State educational authorities for increased coordination, planning, and allocation of functions and funds to the higher education system. These central authorities have taken a number of different forms, and responsibilities granted to them have varied considerably.

Although summary descriptions of statewide coordinating agencies for higher education in the several States are included in Part Two along with accounts of State departments of education, State boards of education, and chief State school officers, the particular emphasis of the compilation is upon public education at the elementary and secondary levels. This chapter contains a brief condensation of the background, present situation, and anticipated directions relative to the establishment of statewide coordinating agencies for public higher education.

A number of comprehensive accounts of the development of higher education in America, the role of State departments of education in relation to higher education, and the development of State systems for coordinating higher education in a majority of the States, have been written by higher education specialists in recent years. Readers interested in serious inquiry into these concepts have a variety of recent authoritative information sources at their disposal. 1/

1/ See, for example, Robert O. Berdahl, Statewide Coordination of Higher Education. Washington, D.C.: American Council on Education, 1971; M. M. Chambers, Higher Education in the Fifty States. Danville, Illinois: The Interstate Printers and Publishers, Inc.,

The Background

Historically, State legislatures have authorized the formation of separate boards of trustees for the administration and government of individual higher education institutions in each State. When unprecedented enrollment and service demands began to be made on public colleges and universities over a quarter of a century ago and accelerating into the 1970's, State governments as well as the institutions themselves realized that they had to improve the efficiency of administering their operation.

Legislatures at first relied upon central budgeting authorities in an attempt to remove themselves from directly planning and coordinating the complex budgets and roles of several campuses under separate boards. Since budgetary controls alone tended to provide unsatisfactory means of decisionmaking and planning among competing institutions of higher education for funds, States created centralized State authorities for planning and fund allocation for higher education. In other words, the capacity of traditional legislative committees and budget commissions to deal with rapidly expanding higher education necessitated a new approach.

Although legislatures created a few single governing boards with direct trusteeship over all of the institutions supported by the State, the most common practice in recent years has been to establish a coordinating authority charged with service-oriented functions and certain planning and/or budgetary-review responsibilities over the separate institutional governing boards. 2/ With respect to this trend, Hill and Rabineau have observed that (1) the number of States establishing State boards for planning and coordination of higher education practically tripled during the 15-year

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1970; Warren G. Hill and Louis Rabineau, "Higher Education Relationships," in Edgar Fuller and Jim B. Pearson, eds., Education in the States: Nationwide Development Since 1900. Washington, D.C.: Council of Chief State School Officers, 1969, pp. 683-726; Robert L. Williams, Legal Basis of Boards of Higher Education in Fifty States. Chicago, Illinois: Council of State Governments, 1971; Education Commission of the States, Higher Education in the States, published monthly and available through the Director of Higher Education Services, Education Commission of the States, Suite 300, Lincoln Tower Building, 1860 Lincoln Street, Denver, Colorado 80203.

2/ Hill and Rabineau, "Higher Education Relationships," p. 713.

period from 1950 to 1965, and (2) between 1957 and 1960, more than half the State legislatures were considering higher education structures for coordination and/or planning. 3/

Providing needed insight into the relationship between government and higher education--for example, the extent to which (1) centralized State administrative controls threaten campus freedom, and (2) politics of the legislature and Governor affect campus climate--was The Campus and the State, which was an outgrowth of a 1959 report prepared by a distinguished Committee on Government and Higher Education. 4/ Factors such as legislative and executive coordination, voluntary coordination, consolidation, a central governing board, and a master board were considered in the study, which concluded with the following:

> At its best, an effective system of coordination can do much to relieve pressure for greater State control over higher education. For there can be little doubt that much of the pressure comes from the particularism and intensive competition that have long plagued higher education in some areas. But at its worst a tightly coordinated system of higher education can leach quality and originality out of State colleges and universities. It needs always to be borne in mind that some of the finest public institutions of higher education have sprouted in a highly uncoordinated administrative environment. 5/

The necessity of organizational and operational independence and autonomy has traditionally been assumed. In some States, however, this autonomy has tended to cause varying degrees of competition for power and funds. States themselves began to recognize that too much institutional autonomy and independence in the absence of coordination tended to present as many problems as too little autonomy. Such factors as rivalry, duplication of expense or function, and unjustified expansion pointed up the need for establishing some form of statewide coordination.

3/ Ibid., pp. 713, 716.

4/ Malcolm C. Moos and others, The Campus and the State. Baltimore, Maryland: Johns Hopkins Press, 1959, pp. v-vi, 199, cited by Hill and Rabineau, "Higher Education Relationships," p. 715.

5/ Moos, p. 226, cited by Hill and Rabineau, p. 715.

Not unexpectedly, separate institutions of higher education in many States have resisted the establishment of coordinating authorities over them. The resistance to such coordinating authorities in many instances has come from the State university (or universities) which might occasionally have viewed coordinating boards as seekers of complete authority for State-level higher education. Proponents of greater institutional autonomy argue that the function of a statewide coordinating agency, if any, should be only advisory in nature and should be to perform such roles as (1) representing statewide public higher education to the Governor, the legislature, the institutional governing boards, and the general public, (2) disseminating public information; (3) conducting and reporting research, making planning studies, and gathering data; and (4) facilitating interinstitutional liaison.

State departments of education have exercised a positive influence on institutions of higher education since the turn of the century. Working separately and in informal relationships with institutions of higher education, State departments have made considerable contributions to their development, particularly in public institutions such as junior and community colleges located close to their constituents. Generally, however, relationships between State departments of education and public institutions of higher education have been minimal, with some significant exceptions in the areas of teacher education, accreditation, certification, and statewide planning for elementary and secondary education.

Until the 1940's, the State department of education was the only official body in most States that had considerable statewide interest in education. With few notable exceptions since that time--and for a variety of political, economic, and educational reasons--States have been moving toward increased coordination and centralization of higher education outside the State department. Less emphasis was placed on perpetuating relationships with the department of education and more on the need for a clear delineation of the task to be accomplished and an identification of the agencies in the best position to perform it.

The Prevailing Situation

The following types of coordinating agencies are representative of current structural arrangements. There are (1) States which have neither a single coordinating agency created by statute nor a

voluntary association performing a significant statewide coordinating function; (2) States in which voluntary statewide coordination is performed by the institutions themselves operating with some degree of formality; (3) States which have a statewide coordinating board created by statute but not superseding institutional or segmental governing boards; and (4) States which have a single governing board, whether functioning as the governing body for the only public senior institution in the State or as a consolidated governing board for multiple institutions with no local or segmental governing bodies. 6/

As of September 1972 there were three States with no legally established statewide agency for higher education--Delaware, Nebraska, and Vermont. Legislative sessions (1972) in Nebraska and Vermont considered but did not pass measures which would have created statewide higher education bodies. The Nebraska Legislature did pass resolutions calling for the interim study of and recommendations on space utilization at the State colleges and the University of Nebraska, budgeting procedures, management techniques and practices at public institutions, alternatives to present means of financing all of higher education, and procedures for coordinating postsecondary educational opportunities. Because there has been no evidence of any move to create a statewide governing board in Vermont, the higher education institutions in the State have initiated voluntary cooperation. 7/

There has not been unanimity among States as to the precise form coordinating agencies should take, but most have agreed that some form of coordination is needed. Reynolds has observed:

> Most students of higher education believe in the greatest possible degree of institutional autonomy. Furthermore, they consider it essential to leave room for imagination,

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6/ Contained in Aims C. McGuinness, Jr., "Questions to be Answered to Provide Background Information for the Conference Committee on the Higher Education Amendments of 1972." Portland, Maine: Office of the Executive Assistant to the Chancellor, University of Maine, April 1, 1972. (Xerox.)

7/ Education Commission of the States, Higher Education in the States, 3(5):140-141; 156-157, July 1972. For the legal composition of State coordinating or governing agencies in higher education and governing boards of public postsecondary institutions, see Education Commission of the States, Higher Education in the States, 2(4):45-72, May 1971.

> innovation, and improvement of the educational process all along the line. Nevertheless, many scholars are convinced that the essential outlines of the development of public institutions and public systems of higher education must be subject to the sanction of a coordinating body and responsive to an agency charged with planning a comprehensive statewide educational program sufficiently varied to accommodate the characteristics and needs of a diverse student body and of an incredibly complicated society. 8/

A number of States today maintain a system of separate institutional boards of trustees subject to varying degrees of central coordination. These institutional boards tend to be fluid in nature and functions; they are becoming increasingly conditioned by a number of forces operating at the institutional level. Among other factors, (1) institutional roles and budgets are becoming subject to growing authority, and (2) the campus constituencies--administrators, faculty, students--are having a greater voice in internal institutional policy and program decisions. As a result of these and other intervening variables, trustees may be less able to govern institutions in a traditional sense.

Prospective Directions

Several States seem to be gradually moving from a statutory statewide coordinating board toward a central statewide governing body responsible for the planning and government of higher education in the State. 9/ These boards must have strong administrators and staffs capable of undertaking the planning of a rational State system of higher education, allocating and governing the roles and functions of the individual institutions, and controlling the allocation of legislatively appropriated resources.

8/ James W. Reynolds, "Needed Changes in Purpose and Programs of Community Colleges," in Earl J. McGrath, ed., Universal Higher Education. New York: McGraw-Hill Book Company, 1966, p. 108.

9/ Among the States that have recently moved from statewide coordinating boards to single governing university systems for all public higher education are North Carolina and Wisconsin. (See narrative descriptions in Part Two.)

Laws establishing governing boards increasingly include clear and broad definition of powers and functions. Among the board powers which are frequently embodied in the statutes are (1) a requirement that maximum autonomy and diversity among individual State institutions be encouraged and protected by the State governing board, and (2) a provision for maximum delegation of authority to the institutional executives and their faculties. In addition, some institutional heads are moving, with the approval of the governing board, toward the establishment of advisory councils composed of alumni, administration, and faculty and student representatives.

People in the several States appear to be earnestly seeking a democratically regulated mechanism for developing, supporting, and controlling a system of higher education characterized by maximum educational service, quality and diversity of offering, and economy of operation.

Although few students of State government and higher education would deny that some kind of coordination of public institutions is necessary, there appears to be no ideal means for effecting such coordination. States concerned about coordination will need to consider the feasibility of and implications for various organizational alternatives which may be available. In the final analysis, value judgments concerning the relative merits of greater centralization and strong governing boards versus considerable institutional autonomy will have to be made. 10/

Summary

In this chapter the creation and evolution of statewide coordinating agencies for higher education were briefly and generally described. Emphasis was given to the background, present situation, and prospective directions of statewide coordinating agencies as well as to some of the more prevalent ideas regarding autonomous institutional boards in relation to centralized statewide governance structures.

10/ Possible advantages and disadvantages of various organizational alternatives are reported in Kenneth H. Hansen and Edgar L. Morphet, "State Organization for Education: Some Emerging Alternatives," in Edgar L. Morphet and David L. Jesser, eds., Emerging State Responsibilities for Education. Denver, Colorado: Improving State Leadership in Education, 1970, pp. 40-43.

CHAPTER V

SUMMARY OF BASIC IDEAS AND IMPLICATIONS FOR STATE-LEVEL EDUCATIONAL GOVERNANCE

This compilation was prepared to fulfill the expressed need of many State departments of education, State boards of education, chief State school officers, State legislatures, State and national commissions and organizations concerned with education, as well as staff in the U.S. Office of Education and the Department of Health, Education, and Welfare for current, verified data describing the overall structure of education in the several States, the District of Columbia, American Samoa, Guam, Puerto Rico, the Trust Territory of the Pacific Islands, and the Virgin Islands.

Selected information and concepts basic to the emergence of State education agencies into a position of leadership and productive service in the educational enterprise are included in the first three chapters. The fourth chapter briefly summarizes the background, present situation, and prospective directions of statewide coordinating agencies for public higher education. In this final chapter some of the major concepts of the preceding chapters are briefly restated and implications for State educational administration are provided.

The State Department of Education

The organization responsible for elementary and secondary education in the several States is frequently called the State education agency. The three major constituent parts of this agency are commonly considered to be a board (the State board of education), an executive officer (the chief State school officer), and a professional and supporting staff (the State department of education).

State departments of education have gradually moved through traditional statistical and regulatory-supervisory periods into new roles of leadership and service. Many State departments traced their origins to certain activities which were first performed by one or more State officials. As these responsibilities expanded

along with the rapidly growing population and increasing concerns about education, a new agency or office that assumed responsibilities for elementary and secondary education began to appear in various States.

The status of educational leadership at the State level has improved significantly in recent years because of its willingness to respond to forces both within and outside the educational establishment. The response has led to needed changes and improvements in State departments. Present-day leadership tends to minimize enforcement of regulations and to replace controls with services and initiative.

While traditional practices of supervision of schools and establishment and enforcement of minimum standards continue to be major functions in some States, the roles, functions, and methods of operation of many State departments of education have changed and will continue to change.

Students of State educational administration have recommended that many of the activities traditionally performed by State departments of education--for example, research and development, accreditation, and operation of special schools--may now be shared with or carried out by other organizations. State departments are gradually recognizing the potential advantages of utilizing the services of such entities as State universities, community colleges, regional educational laboratories, national educational organizations, demonstration centers, and consultants not commonly associated with education. While this may enable the State departments to utilize their total resources more efficiently and can keep them from spreading themselves too thinly, it also may lessen or detract from their leadership role in the State.

In terms of general trends, State departments appear to be moving toward (1) long-range planning, stating goals, assessing needs, and establishing priorities; (2) closer alignment and coordination with related agencies and individuals such as higher education, State legislatures, Governors, and national education associations as well as local-Federal agencies and other State departments of education; (3) new approaches to research, development, and evaluation capabilities and exertion of accountability efforts to answer increasing demands for visible results achieved by public elementary and secondary schools; (4) shifts in general departmental orientation from regulatory and supervisory emphasis to increased leadership responsibilities and technical assistance and to improved departmental self-concept of purpose, program, goals, and priorities; and (5) significant changes in the kinds and numbers of personnel who work on State-level educational problems.

State departments are engaged in an increasing multitude of activities but continue to be hampered from playing even more vital roles in their States' educational establishments by a number of constraints, such as (1) staffing problems, including the shortage of qualified personnel; (2) low support level; (3) limitations imposed by emphasis on traditional and routine functions, antiquated personnel policies, the numerous agencies in most States having some governance over education, and resulting organizational inertia; and (4) political conflicts, which may involve rural-urban and legislative-executive representatives.

The demands upon and expectations of States to provide quality education have never been stronger than at the present. Contemporary State departments of education, the professional arms of each State's education agency, have accepted leadership as their major goal and have increasingly established their credibility as leaders. There continue to be wide variations in both quantity and quality of leadership services provided by State departments of education among the several States, but State educational leaders and department staffs are solving many of the most pressing educational and social problems with which they are faced.

State departments of education in the past 5 years have made great strides toward establishing goals, conducting needs assessments, setting priorities, engaging in long-range and comprehensive planning, formulating statewide assessment systems, developing improved techniques for internal management and decisionmaking, and committing themselves to change. State departments are to a greater extent formulating techniques, strategies, and materials which local school districts can work into their own planning, evaluation, self-improvement, and staff development. Importantly, the focus is increasingly on State leadership in the activity rather than on the State's conducting the activity and then mandating it for use in local school districts. 1/

Rapidly changing conditions in American education and in the larger society have required flexibility in the governance of education. Among forces and factors contributing to these changing conditions are (1) greater expectations for education and a decreasing emphasis on establishment and enforcement of standards

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1/ This concept is described further in Kenneth H. Hansen, "The State Education Agency at Work," in David T. Tronsgard, ed., Six Crucial Issues in Education. Denver, Colorado: National Association of State Boards of Education, 1972, p. 39.

and regulations; (2) growing recognition that changes and decisionmaking in education should be based on research; (3) development of new Federal programs and the increased role of the Federal Government; and (4) strong demands by increasing numbers of lay citizens for educators to make a commitment to accountability--establishing goals, selecting alternative mechanisms for reaching the goals, carrying out specific actions and programs, and carefully measuring the results--and that State departments of education be headed by competent administrators and staffed by highly qualified personnel.

The emerging role of the State department of education has demanded a functional and interrelated organization characterized by a systematic, flexible, and realistic structure. It has become increasingly apparent that to be effective, State educational leadership requires a State department staff which is characterized by such factors as (1) considerable departmental unanimity on how to achieve maximum impact, (2) a good departmental self-concept of its own purpose and program, its goals, and its priorities, and (3) a general disposition toward openness in communication across division lines and broader participation in decisionmaking.

There are increasing constraints on State departments of education to take closer objective looks at themselves to identify and realistically solve the most pressing inhouse problems before attempting to assist local education agencies with their problems. To this end, many departments have sought the help of qualified outside consultants from a variety of fields.

The overarching problem of some State departments continues to be the shortage of qualified personnel. Clearly, this condition points up implications for improved recruiting and staffing strategies, including development of a variety of incentives (in addition to higher salaries) to attract and hold qualified persons. Such inducements include: Interchange programs with local and Federal agencies; more sabbatical leaves for additional study and travel; development of training packages and relevant inservice education; updating and/or elimination of antiquated personnel policies and rigid, centralized State controls; and variations in staffing patterns including ad hoc, mission-oriented task forces composed of persons within and outside the department. Too, there is growing recognition of the need for a pool of persons trained to offer consultative services in such areas as urban education problems, centralized data processing, and specific internal management and decisionmaking techniques.

Another problem common to State departments is a low support level, which points up the need for reform in taxing procedures, identification of new sources of funds commensurate with the demands of State leadership responsibility in education, development of a more creative role in Federal-State-local relationships, and improved public relations and information dissemination. Greater ingenuity will be required in spending productively the limited education dollars. Costly new programs may be necessary, but in place of, not in addition to, less effective ones.

Departmental limitations caused by emphasis on traditional and routine functions, centralized administration, and multiplicity of agencies having some governance over education in most States, and the consequent organizational inertia, call for more to be done from within the State department organizational structure to exercise initiative for constructive changes and for careful examination of the scope of State department responsibility in relation to the public, to State legislators, to the Federal Government, to community college education, to institutions of higher education, to vocational education/rehabilitation, and to special schools. In addition, many departments have found considerable utility in decentralizing departmental administration and improving internal administrative coordination. In some instances this has meant more staff positions and fewer line positions as leadership and service functions have replaced regulatory and supervisory activities. In examining these and other issues, departments are comparing means used in other State departments for meeting similar responsibilities.

Political conflicts impinging upon State departments of education bespeak less partisan politics but more productive relations with State legislatures by means of franker discussion of departmental priorities and the role of the department in determining them.

State departments of education, standing between school districts and the Federal Government, are in a position requiring competent leadership and having implications for the entire educational enterprise. Clearly influencing (1) educational policies of State legislatures, (2) attitudes and actions of Governors, (3) functions of local schools and school districts, and (4) success of Federal education programs, State departments now are central factors in determining the direction and quality of American education.

The State Board of Education

Closely paralleling the evolving changes in State departments of education have been changes in the character--indeed, the very existence--of State boards. There has been a movement away from a single State official "in charge of" public education, toward establishment of a State board to reflect lay thinking, establish policies, and determine official action. The move toward board management has been coincident with the steadily increasing number and kinds of roles to be performed by the board.

There has developed a widespread realization that such a basically important and extensive enterprise as education requires a plural entity representative of the people and functioning as a quasi-legislative body. Enacting rules and regulations pursuant to law and making educational policy at the administrative level of State government, State boards serve as a safeguard against the abuses of discretionary powers.

State legislatures recognize that it is not practical to develop educational legislation in sufficient detail to cover the variations among local school systems and that a number of decisions in school operations must be made locally. Within the limits of basic educational policies set forth in most State constitutions, there are many policies and proposals relating to education that should be formulated and approved by a State board of education for the guidance of the chief State school officer and staff of the State department of education and of local education agencies. Clearly, a primary contribution of school boards and administrators to educational policymaking is to provide programs and services relevant to the needs of their clienteles.

In recent years, improvements in the State governance of public education have been widely adopted. Accompanying the growth in scope and complexity of the educational enterprise have been (1) the increasing assignment of responsibility for operation of special institutions to special State boards, and (2) the streamlining of functions of general State boards of education under their own executive officers.

Certain administrative problems have occasionally resulted from (1) boards with more than one executive officer and (2) dual-purpose boards--those with leadership/regulatory board responsibilities over the State system of education and, additionally, governing board responsibilities for one or more educational institutions.

State boards of education in some States have traditionally been delegated certain duties for which they are empowered to appoint executive officers that are either not under, or only partly under, the executive direction of the chief State school officer. State board operation of such institutions as vocational schools, special schools for handicapped children, State colleges and universities, and junior and community colleges has occasionally caused sensitive relationships among the chief State school officer as the executive officer of the governing board, the department staff, and the administrators charged by the board with the operation of the educational institutions.

A potential problem for many States is the tendency of State boards of education to become too involved in administration and correspondingly less competent and comprehensive in important legislative and policymaking responsibilities.

Such problems as the following associated with State boards of education have prevented their taking a more active role in the State policy system: (1) Many board members have almost no comprehension of the State's resources; (2) while policy determination is explicit, many board members have no legitimate powers--the State legislature is likely to retain the prerogative for most education policies; and (3) typical State board members have insufficient standing with the Governor and/or legislature as a source of information, advice, or policy.

There are differences among the States regarding certain characteristics of the board, such as method of selecting members, term of office, compensation of members, and size. Only two methods of selecting State board members have become widely prevalent: (1) Appointment by the Governor and (2) election by the people or their representatives. Both methods have strong support and strong opposition. Some students of State educational administration consider both selection methods to be restrictive because they prevent the board from exercising the representation attribute.

Most States have established a number of agencies, each of which is responsible for a certain aspect of education. All but one State have an agency including a board that, in most instances, is concerned primarily with elementary and secondary education. Forty-six State boards of education serve also in the capacity of the State board for vocational education; only nine States have a separate board for vocational education. The State board responsible for vocational education is in 33 States also responsible

for vocational rehabilitation; vocational rehabilitation programs in the remaining 23 States are administered by a separate agency. Most States have established one or more boards or agencies that are responsible for certain aspects of higher education.

At least half the States have established some kind of coordinating board (rather than a single governing board) for higher education that is designed to provide linkage between the academic and political communities. Most of these States have provided for the continuation of the board and agency for elementary and secondary education.

Several States continue to have a separate governing board for each of the major institutions of higher learning. This arrangement inhibits the ability to view education as a social system with interrelated components and hampers cooperation in long-range statewide planning. Only a few States have created boards that are responsible for all levels of education.

A variety of workable plans for State systems of education have been devised in different States. Regardless of the particular pattern used, States have been moving toward increased coordination of higher education characterized by varying relationships with State departments of education. As States have begun to recognize that too much autonomy and independence for educational institutions may present as many problems as too little, the tendency is for increased political interaction between elementary-secondary and higher education and continued study of alternative organizational models which might best suit a particular State.

Regardless of the method of selection used, it behooves citizens to insist on highly competent and dedicated State board members. In some States relatively little attention has been given to qualifications of persons to be selected to serve as board members, or to helping them prepare to assume their important responsibilities. This suggests a need for more cooperation between State departments, school board members' associations, and other groups in (1) identifying desirable characteristics and perspectives of persons seeking to serve on boards of education and (2) planning and conducting preservice and inservice training programs for State board members.

Careful attention ought to be given to developing assurances that board members individually and collectively (1) represent the lay public and are capable of sensing the public's educational needs, and (2) have the ability to successfully advocate State

policies that are responsive to those needs. More important, many board members will need to thoroughly examine their individual roles as well as the collective role of the board with which they are associated.

Of particular significance is that State boards be of such stature that they are able, by their prestigious status, their sound policies and procedures, and their consideration for the wishes of the people, to protect education and educators, including the chief State school officer and his staff, from the harmful effects of partisan politics.

As representatives of the people of the State, board members are better able to see that policy determination for State departments observes the will of the people. If for no other reason than to facilitate a previously missing linkage with State policy systems, State boards--with a minimum of administrative or judiciary authority but with growing advisory responsibility to the legislative and executive branches of government regarding the support and coordination of education--will increasingly need to consist of persons who are able to interpret and mold into a coherent program the needs of education and the will of the citizens.

The Chief State School Officer

The chief State school officer in most States serves as (1) the executive officer of the State board of education, (2) the administrative head of the State department of education, and (3) the chief administrative officer of the State for executing the laws, rules, and regulations relating to education which arise under the State constitution, State statutes, or policies of the State board of education. Generally, while State boards have moved toward performing principal policymaking and legislative functions within the State laws, chief State school officers and their staffs have performed the professional administrative tasks.

In most States, until recent years, the position of chief State school officer demanded little prestige, was considered political, and provided relatively low compensation. As the importance of competent State leadership in education came to be recognized, however, the situation took on significant change. For example, election by popular vote--usually on a partisan ballot--was the prevalent method of selecting chief State school

officers before 1900; it has been replaced in a majority of the States by appointment on the basis of professional leadership and other related qualifications. The salary level, responsibilities, and staff support usually have been increased correspondingly.

The three different methods of selecting chief State school officers which have been employed since 1920 are (1) election by the people, (2) appointment by the State board of education, and (3) appointment by the Governor. Although students of administration have been in general agreement for over 50 years that it is undesirable to select the chief State school officer by popular vote on a partisan ballot primarily because of the potentially harmful influences of party politics upon State education policy, the practice has persisted. Among reasons for the continuance of various forms of election are (1) the office of the chief State school officer generally has constitutional status, and difficulties in amending many State constitutions have served to perpetuate the elective method; and (2) the idea that the person elected to the office represents the will of a majority of voters has prevailed over the years.

Arguments in favor of board-appointed chief State school officers usually focus upon the idea that such chiefs are more likely to have a bipartisan position in relation to politics and can be regarded by the public more as educators and less as political figures. One-half of the States were using this method in 1972; 19 States continued to elect their chief State school officer by popular vote.

Although appointment of the chief State school officer by the Governor is done in considerably fewer States--nine used this method in 1972--than the other two methods of selection, there are strong advocates of gubernatorial appointment in various areas. Arguments in favor of appointment by the Governor usually begin with the assumption that the Governor can appoint and give full support to a competent leader. Critics of the gubernatorial appointment method usually contend that it makes the chief State school officer politically dependent on the Governor.

Few, if any, objective measures of the relative merits of the three methods of selecting chief State school officers are possible. The particular organizational patterns or administrative devices used cannot guarantee the success of chief State school officers or the departments of education which they administer. Because of the potential significance, however, it is important to carefully consider the potential advantages and disadvantages of the methods of selection utilized.

Most students of State educational administration agree that it is sound practice to provide in the law for a fixed term for the chief State school officer. The length of term should be such that the chief State school officer is given adequate time to demonstrate his capability and the appointing authority sufficient opportunity to evaluate the progress under his leadership.

Historically, many chief State school officers and their professional staffs have not received salaries comparable with those of persons having equivalent preparation, experience, and ability in other areas of education. Of fundamental importance is that the salary of the chief State school officer be sufficiently high to attract and employ a highly qualified leader who can maintain a favorable status and public image for education in his relationships with the Governor, the legislature, the profession, and the public. A promising trend between 1964 and 1972 was a more than $10,000 increase in the median salary of chief State school officers.

Given that the overriding problem of most State departments of education is staffing, it is clear that chief State school officers must take the lead in evaluating their department's internal staffing patterns and operational procedures. Many departments, for instance, need reorientation toward leadership programs that disseminate promising new concepts and practices in a variety of areas. Insightful, flexible leadership of chief State school officers can guide entire State departments toward realizing their full leadership and service potential. Regardless of how they are selected, chief State school officers are subjected to numerous personal tests that go far toward fixing both the essential quality and long-term public image of State departments of education. Among the many personal qualities inevitably judged within the State government and throughout the State are administrative ability and integrity, diligence, and courage.

In their roles as educational spokesmen-leaders, chief State school officers have guided State departments of education into a unique position to provide needed leadership in education. Present-day demands for top-quality State education leadership point up the need for constant upgrading and sharpening of the capabilities and talents of chief State school officers. This has been and continues to be achieved in part by the diligent efforts of the Council of Chief State School Officers, which among many other activities sponsors periodic institutes on subjects of national import which provide chief State school officers an opportunity to analyze many of the most pressing educational and social problems with which

their organizations are faced, to update administrative skills, and to increase their awareness of potentially useful State department activities in other States.

Statewide Coordinating Agencies for Higher Education

Immense growth in the size, complexity, and cost of public higher education after World War II and accelerating into the 1970's has demanded that State governments as well as individual institutions improve administrative efficiency. From separate boards of trustees for the administration and government of individual higher education institutions, many States have moved to the creation of central State educational authorities which have exercised increased coordination, planning, and budgetary-review responsibilities over the separate institutional governing boards.

While there has not been full agreement among States as to the precise form coordinating agencies should take, most have agreed that improved coordination and cooperation within the higher education community and between government and higher education are needed.

It has been found that an effective system of coordination can do much to relieve pressure for greater State control, but at its worst a tightly coordinated system can destroy the quality and originality of State colleges and universities. While public institutions of higher education have succeeded in a highly uncoordinated environment in some States, the organizational and operational autonomy has caused varying degrees of rivalry for power and funds in others. States themselves have tended to agree that too much institutional autonomy in the absence of coordination presents as many problems as too little.

Proponents of greater institutional autonomy agree that the role of a statewide coordinating agency, if any, should be only advisory in nature and be limited to such roles as (1) representing higher education to the Governor, the legislature, the institutional governing boards, and the general public; (2) disseminating public information; (3) conducting and reporting research, engaging in planning studies, and collecting data; and (4) facilitating liaison among institutions.

State departments of education have made contributions--particularly in the areas of teacher education, accreditation, certification, and statewide planning for elementary and secondary education--to the development of higher education institutions since the turn of the century. Activities of State departments in relation to higher education have varied greatly among States. State departments were the only official bodies in most States that had considerable statewide interest in education prior to World War II, but since that time States have been moving toward coordination of higher education outside the State department. Exemplifying the current structural arrangements for coordinating agencies are the following: (1) Some States have a single governing board, whether functioning as the governing body for the only public senior institution in the State or as a consolidated governing board for multiple institutions with no local or segmental governing bodies; (2) some States have a statewide coordinating board created by statute but not superseding institutional or segmental governing boards; (3) some have voluntary statewide coordination performed by the institutions themselves operating with some degree of formality; and (4) some have neither a single coordinating agency created by statute nor a voluntary association performing a significant statewide coordinating function.

Laws establishing governing boards tend to include clear and broad definition of functions and powers. For example, some State laws include (1) a requirement that maximum autonomy and diversity among individual State institutions be encouraged and protected by the statewide coordinating or governing board, and (2) provision of maximum delegation of authority to the institutional executives and their faculties.

The existence of optional arrangements for coordination of higher education in the several States suggests the possible benefit of careful reconsideration and reorientation of roles, functions, and relations of each State agency concerned with education, of educational institutions and organizations, and of local school systems. For instance, there may be considerable utility for a blue ribbon task force--consisting of higher education representatives, State legislators, a designee from the Governor's office, one from the State department of education, qualified outside consultants, and representatives from States with differing organizational arrangements--to thoroughly examine organizational alternatives and determine the probable consequences of each.

There are opportunities for better understanding and cooperation between those involved in higher education and those concerned chiefly with elementary and secondary education. A crucial factor with the potential for enhancing communication and understanding between higher education and elementary/secondary education is planning. The increasing interest in and emphasis on comprehensive planning--involving indepth studies of all aspects of education, their interrelation, and of the relation of education to various elements of contemporary society--has been undeniably beneficial.

In some States, the relationship of statewide coordinating agencies to institutional governing boards may be analogous to that of State boards of education to local boards. The statewide coordinating higher education agency can render specific service to individual institutional governing boards but can also use the opportunity to help the individual institutions toward self assessment of needs, toward the kind of long-range planning they should be doing, and toward the identification and use of certain innovative procedures that would improve the entire institutional operation.

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PART TWO

NARRATIVE DESCRIPTION, BY STATE

NARRATIVE DESCRIPTION, BY STATE

Part Two of this compilation presents a summary description of the three basic State education agency components--the State department of education, the State board of education, and the chief State school officer--in the fifty States of the Union, the District of Columbia, American Samoa, Guam, Puerto Rico, the Trust Territory of the Pacific Islands, and the Virgin Islands, all herein--based on legislative authority and convenience--embraced in the term "States." In addition to a narrative account of pertinent data relative to these State education agency components, Part Two contains a brief account of the legally created State coordinating or governing agency for public higher education, if any, in the several States.

The data reported were obtained from State constitutions, statutes, administrative rules and regulations, and official reports. To insure the highest possible degree of accuracy, State education agency information for each State was verified by the chief State school officer or his designated representative. In like manner, information regarding the formal statewide coordinating or governing body for postsecondary education in the several States was checked by its respective chief executive officer for accuracy and acceptability.

Space limitations as well as the question of practicality and general usefulness to the reader prevented the inclusion in Part Two of organization charts which portray the formal structural units under the executive direction of the chief State school officer.

Typically, the State education agency's organization chart specifies the formal roles that have been assigned to it. In addition, the chart describes the authority of one role over another and delineates the boundaries of administrative units. However, the utility of the organization chart in this compilation is somewhat limited because (1) the formal structure of a typical State education agency is continuously changing and a chart depicting formal organization quickly becomes obsolete and inaccurate, and (2) the organization chart describes the formal organization but omits the informal organization; in many instances, authority

of administrators at various levels, lines of communication, and decisionmaking power may be somewhat different than implied by the organization chart.

As much as possible, the project staff has attempted to maintain in its files charts portraying the formal organization of many State education agencies. However, persons interested in obtaining the most current charts of State education agency organization should apply directly to individual State departments of education.

ALABAMA

The State Department of Education is under the direction of the State Superintendent of Education with the advice and counsel of the State Board of Education. The Department of Education is charged with assisting in executing the policies and procedures authorized by law and by regulations of the State Board of Education.

The State Board of Education is composed of eight members elected, one each, by the qualified electors of the State's congressional districts for overlapping 4-year terms; the Governor is an ex officio member. The Governor is president of the Board of Education, and the board elects a vice president from its members annually; the State Superintendent of Education is secretary and executive officer of the board. Through the State Superintendent of Education and his professional assistants, the board exercises general control and supervision over the public schools of the State, junior colleges, trade schools, Alabama State University, and Alabama Agricultural and Mechanical University. Other institutions are under separate boards of trustees.

The State Superintendent of Education is a constitutional officer in the executive department of the State government. By a constitutional amendment ratified December 16, 1969, the State Superintendent of Education is no longer elected by popular vote but is appointed by the State Board of Education and serves at its pleasure.

The Alabama Commission on Higher Education was created by Act No. 14, Special Session, 1969, and signed into law in May 1969. Designed to serve as a coordinating agency rather than a controlling board, the commission is charged with serving in an advisory capacity to the Legislature and the Governor with respect to all matters pertaining to State funds for the operation and to the allocation of funds for capital improvements of State-supported institutions of higher education. The commission is authorized to review periodically all existing programs of instruction, research, and public service funded by State appropriations at the State colleges and universities and to share with the appropriate governing board, through the president of the institution, its recommendations. The commission consists of nine members appointed by the Governor by and with the advice and consent of the Senate, one person from each of eight congressional districts within the State and one from the State at large. The commission elects annually from its own membership a chairman and vice chairman and is authorized to appoint a highly qualified person to serve

as its executive officer and chief consultant who, with the approval of the commission, selects and supervises the entire operation of the commission.

ALASKA

The Department of Education comprises the Commissioner of Education, the State Board of Education, and the staff necessary to carry out the functions of the department. The department (1) administers the State's program of education at the elementary and secondary levels, including programs of vocational education, vocational rehabilitation, library services, and correspondence courses; and (2) plans, finances, and operates related school and educational facilities and activities.

At the head of the Department of Education is the State Board of Education consisting of seven members appointed by and serving at the pleasure of the Governor, subject to confirmation by a majority of the members of the Legislature in joint session. No more than four of the seven members may be of the same political party as the Governor. In appointing board members, the Governor considers recommendations made by recognized educational associations in the State. One member is appointed from each of the four judicial districts and three from the State at large, with at least one member representing rural areas in which there are State-operated schools. Members are appointed for overlapping terms of 5 years commencing February 1 of the year of appointment. Legislative action in 1967 changed the functions and responsibilities of the State Board of Education from advisory to administrative.

The principal executive officer of the Department of Education is the Commissioner of Education, who is appointed by the Board of Education subject to the approval of the Governor, without regard to political affiliation. The Commissioner must have at least a master's degree with 5 years' experience in the field of education since receiving it, with at least 3 of the 5 years in an exclusively administrative position. His term of office may not exceed 5 years. He employs and removes personnel in the exempt or partially exempt service subject to the approval of the board; personnel in the exempt or partially exempt service have a right of appeal to the board from a removal order. The Commissioner has responsibility and authority for the preparation and execution of a budget and for the other fiscal affairs of the department, subject to the approval of the board.

The Board of Directors for State-Operated Schools consists of seven members appointed by the Governor from the areas served subject to confirmation by the Legislature, provided that at least four members are appointed from rural school areas outside of military reservations and organized boroughs. Its members serve terms of 3 years. The Board of Directors has exclusive management and control of all matters associated with the State's program of education at the elementary and secondary levels of State-operated schools, subject to the State laws and State Board of Education regulations. The Board of Directors is responsible for the submission of applications for Federal assistance for the unorganized areas. Such applications are made through the Commissioner who, after reviewing the applications, transmits them to the appropriate Federal agency. Federal funds allocated to unorganized areas are transmitted to the Board of Directors or deposited in the school fund of the board, and may not be transferred to any other fund unless authorized by the board and State law. The Board of Directors selects and employs the Director of Education for State-Operated Schools subject to the approval of the Governor. As the executive officer of the Board of Directors, the Director insures that the programs and policies of the board are faithfully discharged.

The governing board for all postsecondary public institutions in Alaska is the Board of Regents, consisting of eight members, for a term of 8 years. The Governor appoints the regents subject to confirmation by a majority of all members of the Legislature in joint session. The Board of Regents (1) appoints the president of the University of Alaska by a majority vote of the whole board, with the president serving as its executive officer and attending all meetings of the board; (2) fixes the compensation of the president of the university, all heads of departments, professors, teachers, instructors and other officers; (3) confers such appropriate degrees as it may determine and prescribe; (4) has the care, control, and management of all the real and personal property and all money of the university; (5) keeps the minutes of every meeting and of all acts done by it in pursuance of its duties; and (6) causes a complete record of all money received and disbursed to be kept.

AMERICAN SAMOA

In 1951 the administrative jurisdiction of American Samoa was assumed by the Department of the Interior after 51 years of

administration by the Department of the Navy. 1/ At that time civilians replaced naval personnel in governmental positions, including those within the Department of Education.

The Department of Education is empowered to request, accept, receive, and administer for the Government of American Samoa any funds, books, and other library materials appropriated or donated by any donor, including the Government of the United States or any of its departments, boards, or bureaus. The American Samoa Code does not describe the relationship of the Department of Education to the Board of Regents.

The Board of Regents (replacing, since 1970, the former Board of Education) consists of nine members appointed by the Governor, with the concurrence of the Senate and House of Representatives. The board meets quarterly, and at such other times as determined by majority vote of the board members or as called by the Director of Education. The board functions as an advisory board to the Director of Education. Two of the board members are appointed from Manu'a, four from the eastern district, and three from the western. Appointment of board members is for staggered terms of 2 or 3 years, but members serve until successors are appointed by the Governor. The Board of Regents also acts as the Board of Vocational Education.

The Director of Education, appointed by the Governor, serves as ex officio member of the Board of Regents and executive officer for the Board of Education. The Director's term of office and duties are not defined in the code.

ARIZONA

The Department of Education is administered through (1) the State Board of Education, which is the governing and policy-determining body of the department, and (2) the State Superintendent of Public Instruction, in whom all executive, administrative, and ministerial functions of the department are vested and who is the executive officer of the State Board of Education. In addition

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1/ U.S. President, Harry S. Truman, "Transfer of Administration of American Samoa from the Secretary of the Navy to the Secretary of the Interior," Executive Order No. 10264, effective July 1, 1951.

to any divisions established by law, the State Board of Education may establish such divisions as in the judgment of the board are necessary for the proper transaction of the business of the department.

The State Board of Education is composed of the following members: The Superintendent of Public Instruction, the president of a State university or a State college, three lay members, a member of the State junior college board, a superintendent of a high school district, a classroom teacher, and a county school superintendent. Members, other than the Superintendent of Public Instruction, are appointed by the Governor with the advice and consent of the Senate for overlapping terms of 4 years. The board exercises general supervision over the public school system. The board is also designated the State Board for Vocational Education.

The Superintendent of Public Instruction is a constitutional officer in the executive branch of the State government. Elected on a partisan ballot for a 4-year term, the Superintendent executes, under the direction of the State Board of Education, the policies which have been decided upon by the board. The Superintendent is a member and the chief executive officer of the State Board of Education.

The Arizona Board of Regents consists of eight appointive members, with the Governor and the State Superintendent of Public Instruction as voting ex officio members. Other members are appointed by the Governor with the advice and consent of the Senate. The term of each appointive member is 8 years; the terms of two members expire every odd-numbered year.

The statutory Board of Regents has jurisdiction and control over the universities of Arizona. 2/ General administrative powers of the board include, but are not limited to, areas such as:

1. Enacting ordinances for the government of the institutions under its jurisdiction;

2. Appointing and employing a president or presidents, vice presidents, deans, professors, instructors, lecturers, fellows, and other such officers and employees it deems necessary;

2/ The Board of Regents governs three 4-year institutions in the State: The University of Arizona, Arizona State University, and Northern Arizona University.

3. Determining salaries of persons appointed and employed;

4. Establishing a retirement system for any institution under its jurisdiction;

5. Removing any officer or employee when in its judgment the interests of education in the State require it;

6. Fixing tuitions and fees to be charged;

7. Establishing curriculums and designating courses which in its judgment will best serve the interests of the State at the several institutions;

8. Awarding such degrees and diplomas upon the completion of such courses and curriculum requirements as it deems appropriate.

The State Board of Directors for Junior Colleges consists of 14 members, one from each county, appointed by the Governor with the advice and consent of the Senate, a representative of the Board of Regents, the Superintendent of Public Instruction, and the Director of the Division of Vocational Education. Appointive members serve overlapping terms of 7 years, with the terms of two members expiring each year. The general administrative powers of the State Board of Directors for Junior Colleges include:

1. Enacting ordinances for the government of the institutions under its jurisdiction;

2. Setting standards for the establishment, development, administration, operation and accreditation of junior colleges;

3. Permitting and arranging for certification of experienced and qualified community leaders in business, the professions, and the arts for the purpose of teaching classes at a junior college in the fields of their specific competence;

4. Establishing qualifications of the instructional staff and establishing standards of vocational competence required to instruct in occupational as well as academic subjects;

5. Fixing tuitions and fees to be charged and adjusting the tuitions and fees between institutions and among residents, nonresidents, and students from foreign countries;

6. Establishing curriculums and designating courses at the several institutions which in its judgment will best serve the interests of the State;

7. Fixing and collecting fees for issuance and renewal of certifications.

ARKANSAS

The Department of Education consists of the State Board of Education, the Director of the department, and such divisions which presently exist or which may be created by law or the State Board of Education.

The State Board of Education consists of nine members, one from each of the six congressional districts of the State and the other three at large appointed by the Governor, subject to confirmation of the Senate, for 9-year overlapping terms. The board has general supervision of the public schools of the State. It is directed by statute to select personnel of the Department of Education and fix their salaries in accordance with their training and the work assigned. Appointments are made by the board upon nomination by the Director of Education. The board is authorized by statute to change and alter the department into such divisions, branches, or sections as may be found necessary and desirable by the Director of Education. The board is also responsible for the general supervision of vocational education in the State.

The Director of Education is appointed by the State Board of Education subject to confirmation by the Governor. Serving at the pleasure of the Governor, the Director acts as agent of the State board and ex officio board secretary without vote.

The Department of Higher Education was created by the 1971 Legislature as one of 13 cabinet-level positions of State government. The Director is appointed by the State Board of Higher Education, subject to confirmation by the Governor, and serves at the pleasure of the Governor.

The Department of Higher Education consists of the State Board of Higher Education and such other divisions as may be created by law and placed under the department. The Director, with the advice and consent of the Governor, appoints the heads of the respective divisions. All the personnel of the Department of Higher Education serve at the pleasure of the Director.

In 1971 the Commission on Coordination of Higher Educational Finance was restyled the State Board for Higher Education. The State Board for Higher Education consists of 10 members appointed by the Governor for terms of 10 years.

In addition to the overall responsibility for coordinating higher education in Arkansas, the department's duties include areas of program approval, recommendation of the maximum and minimum student fees, and approval of the purchase or lease of data processing equipment.

CALIFORNIA

The California State Department of Education is the agency through which the public school system--except the State university, the junior colleges, and the State colleges--is regulated and controlled at the State level as required by law. The department is administered through (1) the State Board of Education which is the governing and policy-determining body of the department, and (2) the State Director of Education (who is also the Superintendent of Public Instruction) in whom all executive and administrative functions of the department are vested and who is secretary and acts as executive officer of the State Board of Education.

The 10 members of the State Board of Education are appointed by the Governor, with the advice and consent of the Senate, to serve 4-year terms. The board determines all questions of policy within its powers; it adopts rules and regulations not inconsistent with the laws of the State (1) for its own government, (2) for the government of its appointees and employees, (3) for the government of the day and evening elementary schools, the day and evening secondary schools, and the technical and vocational schools of the State, and (4) for the government of such other schools, except the University of California and the California State colleges, as may receive in whole or in part financial support from the State.

The department is administered by the Superintendent of Public Instruction, elected by the people on a nonpartisan ballot for a 4-year term. The Superintendent executes, under direction of the State board, the policies which have been decided upon by the board, and directs, under general rules and regulations adopted by the board, the work of all appointees and employees of the board. A vacancy in the office of Superintendent of Public Instruction is filled by appointment by the Governor.

The Coordinating Council for Higher Education is the statutory advisory body composed of one representative each of the University of California, the California State University and Colleges, the public junior colleges, the private colleges and universities in the State, one nonvoting ex officio member of the State Board of Education, and six representatives of the general public. The university is represented by a person appointed by the regents. The California State University and Colleges are represented by a person appointed by the trustees. The public junior colleges are represented by a person appointed by the Board of Governors of the California Community Colleges. The private colleges and universities are represented by a person appointed by the Governor after consideration of a list or lists of not less than three persons submitted to him by an association or associations of such institutions and subject to confirmation by the Senate. The State Board of Education is represented by a board member appointed by the president of the board. The general public is represented by six members appointed by the Governor subject to confirmation by the Senate.

Serving 1-year terms are the representatives appointed by (1) the regents, (2) the trustees, (3) the Board of Governors of the California Community Colleges, and (4) the president of the State Board of Education. The term of office of all other appointed members of the council is 4 years, and they hold office until the appointment of their successors. The chief executive officer is the director who serves at the pleasure of the council.

As the coordinating State agency in California, the council is advisory to the governing boards of the institutions of public higher education and to appropriate State officials and has among its functions: (1) Review of annual budget and capital outlay requests of the university and California State University and Colleges; (2) advice as to the application of the provisions of this division delineating the different functions of public higher education and counsel as to the programs appropriate to each segment thereof; and (3) development of plans for the orderly growth

of public higher education and the making of recommendations on the need for and location of new facilities and programs. The council is also the State commission for Federal programs of aid to postsecondary education.

The statutory Board of Trustees of the California State University and Colleges is composed of the following four voting ex officio members: The Governor, the Lieutenant Governor, the Superintendent of Public Instruction, and the person named by the trustees to serve as chancellor of the California State University and Colleges; and 16 other members appointed by the Governor subject to confirmation by the Senate. The Speaker of the Assembly has the status of a legislative interim committee on the subject of the California State University and Colleges and meets with the board and participates in its work to the extent that such participation is not incompatible with his position as a member of the Legislature. The term of the appointive trustees is 8 years. The board governs approximately nineteen 4-year institutions across the State.

The Board of Governors of the California Community Colleges consists of 15 members appointed by the Governor with the advice and consent of the Senate to serve terms of 4 years. They are selected from outstanding lay citizens of California who have a strong interest in the development and improvement of the public community colleges. The intent of the Legislature is that the Board of Governors provide leadership and direction in the continuing development of community colleges as an integral and effective element in the structure of public higher education in the State, maintaining and continuing, to the maximum degree permissible, local autonomy and control in the administration of the community colleges. The Board of Governors of the California Community Colleges assumed the duties, powers, responsibilities, and jurisdiction previously vested in the State Board of Education, Superintendent of Public Instruction, the Department of Education, and the Director of Education with respect to the administration and control of the community colleges. Each college has its own local elected board. As the coordinating governing agency, the Board of Governors works with approximately ninety-four 2-year institutions across the State. The chief executive officer of the California Community Colleges is the chancellor, who is appointed by and serves at the pleasure of the board. Board members annually select two of their members to serve as chairman and vice chairman, respectively.

The University of California constitutes a public trust and is administered by the Regents of the University of California, with full powers of organization and government, subject only to

such legislative control as may be necessary to insure compliance with the terms of the endowment of the university and the security of its funds. The Board of Regents is composed of eight ex officio members: The Governor, the Lieutenant Governor, the Speaker of the Assembly, the Superintendent of Public Instruction, the President of the State Board of Agriculture, the President of the Mechanics Institute of San Francisco, the President of the Alumni Association of the University, and the Acting President of the University; and 16 members appointed by the Governor. The term of appointive members is 16 years; the terms of two appointive members expire on March 1 of every even-numbered calendar year, and in case of any vacancy, the term of office of the Governor's appointee to fill such vacancy is for the balance of the term for which the vacancy exists.

The Board of Regents is vested by the Constitution of California with the legal title and the management and disposition of the property of the university and of property held for its benefit, and has the power to receive all real and personal property for the benefit of the university or incidental to its conduct. The Board of Regents governs approximately nine 4-year institutions.

COLORADO

The Department of Education is a unit of the executive branch of State government consisting of the State Board of Education, the Office of the Commissioner of Education, and such divisions, boards, agencies, officers, and employees as are or may be provided by law or by order of the board and the Commissioner.

The State Board of Education consists of five members, four nominated and elected by the qualified voters of the four congressional districts they represent and a member at large nominated and elected in the same manner as other State officers. Vacancies are filled by the State board and the appointees serve until the next general election. Board members are required to be qualified voters of the congressional districts they represent, and are elected for 6-year overlapping terms.

The Commissioner of Education is appointed by and serves at the pleasure of the State Board of Education; he serves as executive officer of the Department of Education and secretary to the State Board of Education.

The Community College and Occupational Education Act of 1967 created the State Board for Community Colleges and Occupational Education. The board consists of nine members appointed by the Governor, who also appoints the chairman and vice chairman. Members of the board select an executive secretary who serves as secretary of the board and administrative officer but is not considered a member of the board. The board appoints a director of occupational education and a director of community and technical colleges with the qualifications and background specified by the board. The board at all times must include one member representing each of the areas of agriculture, labor organizations, business, and proprietary schools. Each of the four congressional districts in the State is represented by two board members; at least one member of the board is a resident of the western part of the State. Members are appointed for overlapping terms of 6 years. The board exercises all powers and performs all duties formerly vested in the State Board of Education with respect to community and technical colleges within the State system.

The Commission on Higher Education is the statutory coordinating agency primarily concerned with the higher education system in Colorado. The commission consists of nine members, appointed by the Governor with the consent of the Senate. At no time may there be more than five members of any one major political party. There is an advisory committee to the commission of at least nine and no more than 14 members. Four members are appointed by the General Assembly, and each of the five governing boards appoints one representative. The commission may select five additional members.

A coordinating rather than a governing board, the commission works in cooperation with boards of regents and trustees which have direct responsibility for operating the 2-year and 4-year public colleges and universities in the State. The commission is charged with developing long-range plans for an evolving State program of higher education; with the review of operating and capital budget requests of the colleges and universities and recommendation to the Governor and Joint Budget Committee of the General Assembly, including priorities for funding; with review and decision relating to proposed new degree programs in any of the institutions of higher education; with recommendations to the Governor and Joint Budget Committee on the establishment of State-supported institutions of higher education; and with study and recommendation in other areas of programming at the postsecondary level. The commission serves as State agency for administration of Title I of the Higher Education Facilities Act of 1963 and several titles of the Higher Education Act of 1965.

CONNECTICUT

The State Board of Education consists of nine members appointed by the Governor, with the advice and consent of the General Assembly, for overlapping terms of 6 years. Three members are appointed every 2 years; at least one member is appointed from and must reside in each county of the State. The chief executive officer of the Commission for Higher Education serves as an ex officio member without a vote.

The board has general supervision and control of all educational interests of the State except higher education, including preschool, elementary and secondary, special, vocational, and adult education; provides leadership and otherwise promotes the improvement of education in the State, including research, planning, and evaluation; prepares courses of study and publishes curriculum guides necessary to assist school districts; conducts workshops and related activities to assist teachers in making effective use of curriculum materials and in improving their proficiency in meeting the diverse needs and interests of pupils; and keeps informed as to the educational condition, progress, and needs of the State. The board is responsible in the law for developing an evaluation and assessment procedure designed to measure objectively the adequacy and efficiency of the educational programs offered by the public schools.

The secretary of the State Board of Education is commonly referred to as the Commissioner of Education. Appointed by and serving at the pleasure of the board, the secretary records all acts of the board and is the custodian of its records and papers; prepares such routine business for presentation to the board as may be necessary or advisable; compiles and publishes, under the direction of the board, all regulations and acts which may be required; and performs such duties as the board prescribes. Either the secretary or his appointed representative serves as a nonvoting member ex officio of the Commission for Higher Education.

The statutory coordinating agency for higher education in Connecticut, the Commission for Higher Education, consists of 16 persons, at least one of whom is affiliated with a nonpublic institution of higher education in the State. Three members are appointed by the Governor in February of each odd-numbered year, with the advice and consent of the General Assembly, for terms of 8 years.

The commission biennially elects from its members a chairman and such other officers as it deems necessary. The four statutory public institutional governing boards in the State--the Boards of

Trustees of the University of Connecticut, the State Colleges, Regional Community Colleges, and State Technical Colleges--each elect biennially one of their number to serve as a member of the commission and one to serve as an alternate. The secretary of the State Board of Education, or his appointed representative, serves as a nonvoting, ex officio member of the commission.

DELAWARE

The only law that relates to the establishment of the Department of Public Instruction does not refer to the department by name but calls for "the appointment for a term of no more than one year, of professional and clerical assistants necessary for carrying out the policies and the rules and the regulations" of the State Board of Education.

The State Board of Education is composed of six members who, other than ex officio members, are appointed by the Governor from the citizens of the State for 3-year overlapping terms. The president of the University of Delaware and the president of the Delaware State College are nonvoting ex officio members, serving in a consulting and advisory capacity.

No more than three members of the board may belong to the same political party and no person is eligible for appointment who has not been for at least 5 years preceding his appointment a resident of Delaware. The general administration and supervision of the free public schools and of the educational interests of the State are vested in the board, which is empowered to adopt rules and regulations for maintenance, administration, and supervision throughout the State of a general and efficient system of free public schools which are binding throughout the State. The board prescribes the duties of the Superintendent of Public Instruction.

The Superintendent of Public Instruction is appointed by the State board for a term of 1 year. He is the executive secretary of the State Board of Education and is vested by the board with powers proper and necessary to the performance of his duties.

Delaware does not have a legally established statewide agency for higher education.

DISTRICT OF COLUMBIA

The general control of the public schools of the District of Columbia is vested in a Board of Education whose members are elected on a nonpartisan basis. The Board of Education appoints the Superintendent of Schools for a term of 3 years and an executive secretary who is not a member of the board. It determines all questions of general policy relating to the schools, sets the curricula, plans the program of school construction, and is responsible for textbook acquisition. It approves and sets priorities for the expenditure of funds. The president of the Board of Education is elected from among board members at the first meeting held on or after the date on which members are to take office after each general election; he appoints all special committees and is himself an ex officio member of those committees. From 1906 until the passage of Public Law 90-292 in 1968 (April 22, 1968), the Board of Education was appointed by the Judges of the Supreme Court of the District of Columbia (after 1936, the U.S. District Court for the District of Columbia).

The elected 11-member Board of Education holds its organizational meeting on the fourth Monday of January. Members of the board may receive up to $1,200 per annum in compensation. Eight members represent specific wards; three represent the total city on an at-large basis. Board members serve overlapping terms of 4 years, with staggered elections.

The Superintendent of Schools is the chief executive officer of the public schools of the District and assumes primary responsibility for every function and process of the organizational structure--administrative and instructional, including organizing the administration of the public schools and effecting maximum efficiency in the use of funds and total personnel resources. The Superintendent must make recommendations to the Board of Education designed to introduce new policy or effect changes in existing policy. The Superintendent also provides the board with regular and timely information of his administration of board policy. He has a seat on the board and the right to speak on all matters before the board, but not the right to vote.

Established in November 1966, the District of Columbia Board of Higher Education consists of nine members of whom not fewer than five have been residents of the District of Columbia for a period of not less than 3 years immediately prior to their appointments. Members of the board (including all members appointed to fill vacancies on the board) are appointed by the Mayor-Commissioner

for overlapping terms of 3 years. Board members select a chairman from among their number and serve without compensation, but may be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized under Federal law for persons serving the Government without compensation. The Mayor-Commissioner has the power to remove any member of the Board of Higher Education for adequate cause, after notice and opportunity for hearing.

Among the powers and duties of the Board of Higher Education are the following:

1. To plan, establish, organize, and operate the Federal City College in the District of Columbia;

2. To establish policies and standards governing admission, programs, graduation and the awarding of degrees, and general administration of the college;

3. To appoint and compensate, without regard to the civil service laws, a president for the college;

4. To employ and compensate such officers and educational employees as the president of the college shall recommend in writing;

5. To employ and compensate noneducational employees of the board and of the Federal City College, in accordance with the civil service laws and salary schedules;

6. To fix tuition for resident and nonresident students attending Federal City College;

7. To fix fees, in addition to tuitions, to be paid by resident and nonresident students attending the college;

8. To transmit annually to the District of Columbia Council estimates of the appropriation required for Federal City College for the ensuing year;

9. To accept services, gifts, or endowments for the use of the college. Such moneys must be deposited in the U.S. Treasury to the credit of a trust fund, and be disbursed in such amounts and in such manner as the board may determine;

10. To submit to the Mayor-Commissioner recommendations relating to legislation affecting the administration and programs of Federal City College;

11. To make such rules and regulations as the board deems necessary to carry out its functions;

12. To assume control of the District of Columbia Teachers College from the District of Columbia Board of Education at such time as is mutually agreed upon by these two boards and approved by the Mayor-Commissioner;

13. To license certain degree-conferring institutions which are incorporated and/or operating in the District of Columbia.

The District of Columbia Board of Vocational Education controls the Washington Technical Institute and is composed of nine members appointed for 3-year terms, on a staggered term basis, by the President of the United States. At least six members of this board are selected from industry. Like members of the Board of Higher Education, members of this board also serve without compensation except for travel expenses and per diem in lieu of subsistence, and are subject to removal from the board for adequate cause by the President of the United States, who may in such a case appoint a special investigating board to hold public hearings, and upon whose findings and recommendations the President may take action. The power and duties of the Board of Vocational Education parallel those described for the Board of Higher Education.

FLORIDA

The Department of Education acts as an administrative and supervisory agency and consists of the State Board of Education, the Commissioner, and his staff.

The State Board of Education, the chief policymaking and coordinating body of public education in Florida, consists of seven members who serve by virtue of their office: The Governor, Secretary of State, Attorney General, State Comptroller, State Treasurer, Commissioner of Agriculture, and Commissioner of Education. The Governor serves as chairman. The board has the general powers to determine, adopt, or describe such policies, rules, regulations,

or standards as are required by law or as it may find necessary for the improvement of the State system of public education.

The Commissioner of Education is elected by popular vote on a partisan ballot for a term of 4 years. He serves as secretary and executive officer of the board.

The university system in Florida operates as a division within the State Department of Education with the Board of Regents of the State University System as director of the division. A statutory, corporate body, the Board of Regents consists of nine members appointed by the Governor subject to the approval of the State Board of Education. Selected from the State at large, members of the Board of Regents serve for terms of 9 years; no two board members can be from the same county at any one time, must have been residents of Florida for 10 years prior to their appointment, and must be approved by three members of the cabinet and confirmed by the State Senate. The Board of Regents is primarily responsible for public higher education in the State. In addition to the nine-member board, a chancellor is appointed to serve as chief administrative officer and head of the public State university system. One of the nine regular board members serves as chairman. Not to be confused with the Board of Regents, the Division of Community Colleges is a separate statutory body and reports directly to the State Board of Education.

GEORGIA

The State Department of Education is identified as the organized staff under the general supervision of the State Board of Education and under executive direction of the State Superintendent of Schools.

The State Board of Education is composed of one member from each of the 10 congressional districts in the State. Members are appointed by the Governor, by and with the advice and consent of the Senate, for 7-year terms. The board is empowered to provide rules and regulations prescribing a course of study for all public schools of the State and may approve additional courses of study set up by the local units of administration, provide for curriculum revisions and the classification and certification of teachers, and make such rules and regulations as may be necessary for the administration of the common school fund. The board has general supervision of the State Department of Education and employs and dismisses,

upon the recommendation of the State Superintendent of Schools, such clerical employees, supervisors, administrators, and other employees as may be necessary for the efficient operation of the State Department of Education. The State Board of Education is also designated as the State Board for Vocational Education.

The State Superintendent of Schools is the executive officer of the State Board of Education, the administrative officer of the State Department of Education, and by statute is responsible for administration and enforcement of laws and rules, regulations, policies, and standards adopted or prescribed by the State Board of Education. He is elected to office by the people at the same time and in the same manner and for the same 4-year term as the Governor.

The Board of Regents of the University System of Georgia consists of one member from each of 10 congressional districts in the State, and five additional members from the State at large, appointed by the Governor and confirmed by the Senate. The term of each board member is 7 years; within any 7-year period, two members are appointed in the seventh year. Originally created by an act of the General Assembly of Georgia, the Board of Regents became a constitutional body under a constitutional amendment ratified in 1943. The Constitution and statutory laws of Georgia vest in the Board of Regents the control and management of the University System of Georgia and all its institutions, including universities, senior colleges, and junior colleges. Officers of the Board of Regents are a chairman, vice chairman, executive secretary, treasurer, and the chancellor. The board selects the chancellor who holds office at the pleasure of the board; the chancellor is chief administrative officer of the university system and chief executive officer of the Board of Regents, and performs all duties prescribed by the board.

GUAM

In 1949, President Truman transferred Guam's administration from the Navy, where it had been since Guam became a possession of the United States in 1898, to the Department of Interior. The first Board of Education was established in 1938; the original Government Code of Guam, enacted by the first Guam Legislature, established the Education Law of Guam in 1952. The Department of Education, the Territorial Board of Education, and the Director of Education are included in Public Law 8-71.

The Territorial Board of Education consists of seven members, all citizens of the United States of America and residents of Guam, who are appointed to overlapping 3-year terms by the Governor with the advice and consent of the Legislature. There are, additionally, three advisory members and one board-teacher liaison officer appointed by and serving at the pleasure of the board. General functions of the board are to exercise policy-forming, planning, and evaluative functions for, and exercise leadership in the improvement of, the public schools and vocational rehabilitation on Guam.

The Director of Education is appointed by and serves at the pleasure of the Territorial Board of Education with the approval of the Governor. As administrative head of the Department of Education, the Director is, subject to the approval of the board, responsible for the selection, assignment, and management of Department of Education employees, the management of Department of Education plants and equipment, the administration and supervision of the educational program, and the conduct of the program of public relations. The Director is the executive secretary of the Board of Education and has full responsibility for the execution of all policies, procedures, rules, and regulations of the board. The Director is also the personnel director for the Department of Education.

The Board of Regents of the University of Guam consists of five members, all citizens of the United States and residents of Guam, who are appointed by the Governor with the advice and consent of the Legislature for overlapping terms of 3 years. The board, with the approval of the Governor, appoints a president of the university.

The Board of Regents, in governing the affairs of the university, adopts rules and regulations for the administration of the university which includes the following: (1) Appointment of teaching staff and other employees of the university, in accordance with the personnel law and rules and regulations; (2) standards for admission and graduation; (3) establishment of curricula; (4) creation of degrees and requirements for conferring them; and (5) establishment of academic and physical standards for the achievement and maintenance of accredited status by the university.

HAWAII

The Department of Education is a unit within the executive branch headed by an elected State Board of Education.

The Board of Education has power in accordance with law to formulate policy and to exercise control over the public school system through its executive officer, the Superintendent of Education. The board consists of 11 members who serve identical terms of 4 years. Eight members are elected by the registered voters of the respective school board districts and three members are elected at large in the city (county) of Honolulu.

The Superintendent of Education is appointed by and may be removed by the board and serves as its secretary. Under policies established by the board, the Superintendent administers programs of public instruction throughout the State, including education at the preschool, primary, and secondary school levels, adult education, library services, transcribing services for the blind, health education and instruction (not including dental health treatment transferred to the Department of Health), and such other programs as may be established by law.

The Commission on Higher Education is the statutory coordinating agency for higher education in Hawaii. 3/ Established in April 1966, the commission is charged with performing such functions as may be necessary with respect to receipt of Federal grants-in-aid under the Higher Education Facilities Act of 1963, Title VI of the Higher Education Act of 1965, and any other Federal legislation dealing with higher education that requires, as a condition of State participation in such grants, the designation of a State agency which is broadly representative of the public and of institutions of higher education in the State, when such functions may not be performed by an existing State agency. The commission consists of nine members and is broadly representative of the public and of institutions of higher education. The Governor appoints the members of the commission, designates its chairman, and prescribes its organization, functions, and authority. Confirmation of these appointments is not required, and members serve at the pleasure of the Governor. According to law, the commission shall not remain in existence beyond the period necessary to implement the program or programs under the Federal legislation to which its functions are related.

3/ The Board of Regents of the University of Hawaii, which also serves as the State Board for Vocational Education, is a separate governing State agency. The Constitution of the State of Hawaii authorizes the Legislature to establish the powers of this agency.

IDAHO

The State Department of Education is an executive agency of the State Board of Education. The State Superintendent of Public Instruction serves as the executive officer of the department and has the responsibility for carrying out policies, procedures, and duties authorized by law or established by the State board. The department is organized in a manner determined by the State Superintendent and approved by the State board. Employees of the department are appointed in accordance with the provisions of the Idaho Code.

The State Board of Education consists of the State Superintendent of Public Instruction, ex officio, and seven members appointed by the Governor and confirmed by the Senate, each for a term of 5 years. Annually on the first day of March the Governor appoints members to fill the board positions for which the terms of office have expired. The Governor, by appointment, fills any vacancy on the board for the unexpired term of the retiring member. Appointment to the board is made soley upon consideration of the ability of such appointees efficiently to serve the interests of the people, and education, without reference to locality, occupation, party affiliation, or religion.

The Board of Education performs all duties prescribed for it by the school laws of the State, has general supervision and direction of all departments of public education supported in whole or in part by State funds, enforces school laws, studies the educational conditions and needs of the State, and recommends to the Legislature needed changes in existing laws, or additional legislation. The board has power, upon recommendation of its executive officer, to appoint to the department such specialists, clerks, and other employees as the execution of its duties may require, and to fix their salaries and assign their duties.

The Superintendent of Public Instruction is elected on a partisan ballot by the qualified electors of the State and holds office for a 4-year term. The Superintendent, under the direction of the board, supervises the administration of the public schools up to and including grade twelve, and also is an ex officio member of the State Board of Education and serves as the executive officer of the State Department of Education.

The State board acts as the Board of Regents of the University of Idaho, and, additionally, constitutes the trustees of Boise State College, the trustees of Idaho State University, the trustees of

Lewis-Clark State College, and the State Board for Vocational Education. The State Board of Education is the constitutionally based governing agency for postsecondary institutions in Idaho.

The State board appoints an executive director for higher education who serves at the pleasure of the board and receives a salary fixed by the board. The executive director, under the direction of the State board of education, supervises the administration of all State institutions offering instruction above the twelfth grade; he has other duties and powers which may be prescribed by the Board of Regents and the State board. The executive director for higher education administers the Office of Higher Education. The Office of Higher Education, governed by the State Board of Education, performs research and planning functions for the State Board of Education, administers statewide continuing education, and coordinates medical education programs within the State.

ILLINOIS

In article X, section 2, of the new State Constitution which became effective July 1, 1971, a State Board of Education is created. The number of members, their qualifications, terms of office and manner of selection is left for the Illinois General Assembly to decide. The Constitution does say that the board, except as limited by law, may establish goals, determine policies, provide for planning and evaluating education programs, and recommend financing.

Formerly elected for a 4-year term on a partisan ballot by the qualified voters of the State, the Superintendent of Public Instruction henceforth will be appointed by the State Board of Education, upon the existence of a vacancy in the office of Superintendent of Public Instruction but no later than the end of the term of the Superintendent who was elected in 1970. The Superintendent is responsible for the supervision of the public schools of the State, is a member ex officio and the executive officer of the Board of Vocational Education and Rehabilitation for all of its work pertaining to vocational and technical education. The term "Office of the Superintendent of Public Instruction" is used a few times in the law, but it is not expressly defined or clearly identified.

The Board of Vocational Education and Rehabilitation consists of the Director of Registration and Education, the Superintendent of Public Instruction, the Director of Agriculture, the Director

of Children and Family Services, the Director of Labor, the Director of Mental Health, the Director of Public Health, and six members appointed by the Governor for indefinite terms. The Governor designates the chairman of the board. The board employs a director of vocational rehabilitation who is the executive officer of the board for all of its work pertaining to vocational rehabilitation. (As mentioned previously, the Superintendent of Public Instruction serves as the executive officer of the board for all of its work pertaining to vocational and technical education.) An ex officio member may, by official order filed in the office of the Secretary of State, appoint a qualified assistant or other subordinate in his department to represent him on the board. The board is established in the Office of the Superintendent of Public Instruction.

The Board of Higher Education is the statutory coordinating agency for public higher education in Illinois. The board consists of 10 members appointed by the Governor, with the advice and consent of the Senate; the respective chairmen of the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Governors of State Colleges and Universities, the Board of Regents of Regency Universities, and the Illinois Junior College Board; and the Superintendent of Public Instruction. The Governor designates the chairman of the board until a successor is designated. The 10 members appointed by the Governor are selected, as far as may be practicable, on the basis of their knowledge of, or interest or experience in, problems of higher education in the State. Members of the board whose appointments are subject to confirmation by the Senate serve overlapping terms of 6 years.

In addition to other responsibilities with which it is charged in the law, the board (1) analyzes the present and future aims, needs, and requirements of higher education in the State of Illinois, and prepares a master plan for the development, expansion, integration, coordination, and efficient utilization of the facilities, curricula, and standards of higher education for the public institutions of higher education in the areas of teaching, research and public service; (2) conducts a comprehensive study to determine the need and requirements in Illinois for additional higher educational programs in health professions of medicine, dentistry, and related fields; (3) designs and establishes a State university and college information system to provide comprehensive, meaningful, and timely information pertinent to the formulation of decisions and recommendations by the board; and (4) reviews periodically all existing programs of instruction, research, and public service at the State universities and colleges and advises the appropriate board of control if the contribution of each program is not educationally and economically justified.

The Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Governors of State Colleges and Universities, the Board of Regents of Regency Universities, and the Illinois Junior College Board retain all the powers and duties conferred upon them by statute, except insofar as they are limited by the powers and duties delegated to the Board of Higher Education by law.

INDIANA

The legal responsibility for standards in the public schools is vested in the Department of Public Instruction. Within its legal framework, the chief functions of the department are to: (1) Define the scope and quality of the educational program; (2) assist local school corporations in upgrading and strengthening their programs; (3) coordinate the total educational program; (4) evaluate the schools in cooperation with local leadership; and (5) distribute tuition funds. The Superintendent of Public Instruction administers the department as it carries out duties and functions described by State law, State Board of Education promulgated rules and policies, Federal laws and regulations, and administrative policies established by the Superintendent and his staff.

The State Board of Education is composed of the Commission on General Education, the Commission on Textbook Adoptions, and the Commission on Teacher Training and Licensing. Each commission is composed of six members appointed by the Governor, plus the Superintendent of Public Instruction who serves by virtue of his office and who is chairman of each of the three commissions. The appointed members serve staggered terms of 4 years; the Governor has one or two appointments each year. No more than four of the appointed members of each commission may be of the same political party. At least four members of each commission must be actively employed in the schools of Indiana.

The State Board of Education inherited all of the powers and duties of preceding State boards of education when it was created by law in 1945. The function of the State board as a whole is to coordinate the work of the various commissions to bring about an effective and unified school program and to make determination in matters of jurisdiction between such commissions in accordance with law, but all actions of the commissions within their respective jurisdictions are final. The State Superintendent and his staff normally provide the coordination among the three commissions.

The Superintendent of Public Instruction is a constitutional administrative officer charged with the administration of the system of public instruction and general superintendence of the business relating to the common schools of the State, and of school funds and school revenues appropriated for their support. He is elected on a partisan ballot by the qualified voters of the State at a general election for a term of 2 years. (A constitutional amendment which went to the voters in November 1972 delegates to the General Assembly the manner in which the Superintendent is elected, his term of office and his duties.) The Superintendent serves as chairman and voting member of the three commissions which comprise the State Board of Education, the new Private School Accrediting Commission, and the State School Bus Committee. Additionally, he serves as an ex officio member of the State Board of Vocational and Technical Education.

Beyond administration, the Superintendent functions as a leader of the State's public school system of elementary and secondary schools. He recommends policies for consideration by the General Assembly and the State Board of Education. He and his staff are available for consultation by local school officials on their problems.

The State Board of Vocational and Technical Education has responsibility for receiving, dividing, and distributing funds for vocational education between the Commission on General Education of the State Board of Education and the Board of Trustees of the Indiana Vocational-Technical College in a manner which will contribute most to vocational and technical education in Indiana. The board assumed all of the authority of the old State Board of Vocational Education, which was the general commission before enactment of new legislation in 1965. The board is composed of the Governor, the Superintendent of Public Instruction, and seven others appointed by the Governor. Three of the seven are nominated respectively by the General Commission, the Indiana Vocational-Technical College Board of Trustees, and the State Association of Vocational Directors. All seven must be familiar with the vocational education needs of management and labor in the State. At least one member is to be representative of junior colleges, technical institutes, or other institutions of higher learning which provide programs of technical or vocational training. The appointed members serve staggered terms as determined by the Governor. The board is the designer for the administration thereof by local education agencies. The board by State law employs an executive officer who is designated the State Director of Vocational Education.

The State Commission for Higher Education is the statutory coordinating commission established by the Legislature in 1971 and charged then with the development, updating, and implementation of a long-range plan for public postsecondary education. The plan was to define the educational missions of the various State institutions; the commission was to make recommendations to the Governor and Legislature for implementation of the plan. The commission is composed of 12 members appointed by the Governor to 4-year staggered terms. At least one member resides in each of the State's 11 congressional districts. No member, while serving his term, should be an employee of or serve on the governing board of any State or private college, university, school corporation, other educational institution in the State or be in any other capacity an employee or official of Indiana or political subdivision of it.

Planning and coordinating Indiana's State-supported system of post-high school education is carried out through:

1. A long-range plan for post-high school education;

2. Recommendations to the Governor and the General Assembly based on that plan;

3. Review of legislative budget requests of the educational institutions including appropriations, bonding authorizations, and financial aid to students;

4. Studies of post-high school educational needs;

5. Approval or disapproval of any new branches, regional or other campuses or extension centers, or any new college or school, or the offering of any additional graduate degree;

6. Receiving or administering Federal funds for post-high school educational programs designated by the Governor and the General Assembly;

7. Employment of an executive officer and staff;

8. Appointment of advisory committees.

The enabling act specifically continues direct management of Indiana University, Purdue University, Indiana State University, Ball State University, Indiana Vocational-Technical College, and Vincennes University by their own boards of trustees, limiting the powers of the commission to those provided in the act.

IOWA

The Department of Public Instruction acts as an administrative, supervisory, and consultative agency under the direction of the Superintendent of Public Instruction and the State board. The State department is located in the office of the State Superintendent, and assists the Superintendent in providing professional leadership and guidance and in carrying out policies, procedures, and duties authorized by law or by the regulations of the State board.

The State department is organized into such divisions, branches or sections as are found desirable and necessary by the State Superintendent, subject to the approval of the State board.

The State Board of Public Instruction consists of nine members appointed by the Governor with the approval of the Senate. Not more than five members are of the same political party. Board members are qualified electors of the State and hold no other elective or appointive public office. In order to preserve the lay character of the board, no person the major portion of whose time is engaged in professional education or who derives a major portion of his income from any business or activity connected with education is eligible for membership on the State board. In appointing members, the Governor provides that at least one member has substantial knowledge related to vocational and technical training, and at least one member has substantial knowledge related to area community colleges. Terms of members of the State board are for 6 years.

The State board exercises the following general powers and duties: (1) Determine and adopt such policies as are authorized by law and are necessary for the more efficient operation of any phase of public education; (2) adopt necessary rules and regulations for the proper enforcement and execution of the provisions of the school laws; (3) adopt and prescribe any minimum standards for carrying out the provisions of the school laws; and (4) perform such duties prescribed by law as it may find necessary for the improvement of the State system of public education in carrying out the purposes and objectives of the school laws.

The State Board of Public Instruction, except as otherwise provided by law, establishes standards, regulations, and rules for the approval of all public, parochial, and private nursery, kindergarten, elementary, junior high, and high schools, and all area vocational schools, area community colleges, and public community

or junior colleges in Iowa. With respect to area or public community or junior colleges, such standards, regulations, and rules are established by the State Board of Public Instruction and the State Board of Regents, acting jointly.

With the approval of the Senate, the Superintendent of Public Instruction is appointed for a term of 4 years by the State Board of Public Instruction. The Superintendent is the executive officer of the State board and has the following powers: (1) Exercise general supervision over the State system of public education, including the public elementary and secondary schools and the junior colleges, and has educational supervision over the elementary and secondary schools under the control of a director of a division of the Department of Social Services, and of nonpublic schools to the extent that is necessary to ascertain compliance with the provisions of the Iowa school laws; (2) advise and counsel with the State board on all matters pertaining to education, recommend to the State board such matters as in his judgment are necessary to be acted upon, and when approved, to execute or provide for their execution when directed by the State board; (3) recommend to the State board for adoption such policies pertaining to the State system of public education as he may consider necessary for its more efficient operation; (4) carry out all orders of the State board not inconsistent with State law; (5) organize, staff, and administer the State department.

The State Board of Regents is a statutory State agency which consists of nine members selected from the State at large solely with regard to their qualifications and fitness to discharge the duties of the office. Not more than five members are of the same political party; the term of each member is for 6 years. During each regular session of the Legislature, the Governor appoints, with the approval of the Senate, three members of the board to succeed those whose terms expire the following July first.

The State Board of Regents governs the following institutions: The State University of Iowa, Iowa State University of Science and Technology, including the Agricultural Experiment Station, the University of Northern Iowa, Iowa Braille and Sight-Saving School, and the State School for the Deaf.

Each even-numbered year the board elects from its members a president who serves for 2 years. Among its powers and duties, the board elects a president of each institution of higher learning; a superintendent of each of the other institutions which it governs; annually a treasurer and a secretarial officer for each institution; professors, instructors, officers, and employees; and fixes their

compensation. Other duties involve such areas as (1) making rules for admission to, and the government of, the institutions listed, (2) managing and controlling their property, (3) acquiring real estate, (4) accepting and administering trusts, (5) directing expenditure of all appropriations made to these institutions, and (6) performing all other acts necessary and proper for the execution of the powers and duties conferred by law upon it and the finance committee.

KANSAS

The State Department of Education, under the jurisdiction of an elected State Board of Education and the administrative supervision of the Commissioner of Education, was created through an educational amendment to the State Constitution passed in 1966, and became operative in January 1969, combining the staffs and functions of the former State Department of Public Instruction and the State Board for Vocational Education. The department, through the authority of the State Board of Education, subject to statutory limitation and in harmony with other laws, has responsibilities in regard to public education programs and activities within the State.

The constitutional State Board of Education has general supervision of public schools, educational institutions, and all the educational interests of the State, except educational functions delegated by law to the State Board of Regents. The State Board of Education performs such other duties as may be provided by law. There are 10 members of the board with overlapping terms of 4 years. The Legislature makes provision for 10 member districts, established by the Legislature according to distribution of population, each comprising four contiguous senatorial districts. The electors of each member district elect one person residing in the district as a member of the board. Whenever a vacancy occurs in any board member position, the Governor appoints an elector who has been selected by a duly called and held convention of the same political party as that of the board member vacating such position and who resides in the board member district corresponding to such board member position. The State board's powers are specified in the Constitution and more specifically described and defined by law.

The Commissioner of Education is appointed by and serves at the pleasure of the State board and performs such duties as are prescribed by law or by the State board; he serves as the executive officer of the board.

The State Board of Regents was organized to supervise the operation of the State colleges and universities and to govern and coordinate the programs of these institutions. The board was established by statute in 1925, reorganized by statutory change in 1939, and given constitutional status by the 1966 educational amendment to the Constitution. The functions of coordination and governance are carried out by the formulation of general policy under which the institutions operate.

The Board of Regents consists of nine members who serve overlapping terms of 4 years. Members are appointed by the Governor, subject to confirmation by the Senate. One member is appointed from each congressional district, with the remaining members appointed at large; however, no two members may reside in the same county at the time of their appointment. Additionally, no more than five members of the board are members of the same political party. Vacancies occurring on the board are filled by appointment by the Governor. The board is authorized to appoint and fix the salary of an executive officer of the board.

The Board of Regents governs six 4-year institutions of higher learning in the State. All the programs of the board are provided through the institutions and the programs of the colleges and universities. Until July 1, 1971, the board also supervised the Kansas School for the Deaf and the Kansas School for the Visually Handicapped. On that date supervision was transferred to the State Board of Education as the result of a statutory change.

The 2-year county junior colleges are governed by boards of trustees elected within the individual counties. These boards report directly to the State Commissioner of Education. A municipal 4-year institution, Washburn University, is governed by a Board of Regents appointed by the city government of Topeka.

KENTUCKY

The Department of Education consists of the State Board of Education and the Superintendent of Public Instruction, who is head of the department. The department exercises all administrative functions of the State in relation to the public common schools, vocational education and rehabilitation of West Kentucky Vocational School, the Kentucky School for the Blind, and the Kentucky School for the Deaf, and may exercise certain powers and functions relating to area vocation schools, and to television in aid of education. The Kentucky School for the Deaf Advisory Board and the State Textbook Commission are divisions within the Department of Education.

The State Board of Education is composed of seven lay members appointed by the Governor for terms of 4 years. The Superintendent of Public Instruction is an ex officio member. The board is responsible for the management and control of the institutions administered by the Department of Education.

The Superintendent of Public Instruction is a constitutional officer in the executive branch of the State government. He is elected by the qualified voters of the State on a partisan ballot and holds office for a 4-year term concurrent with the Governor's. He is the executive officer of the State Board of Education in its administration of all public education. In addition to performing duties assigned him by the board, he is responsible for the administration of the Department of Education.

The statutory coordinating State agency for public higher education in Kentucky is the Council on Public Higher Education which is composed of nine lay members appointed by the Governor and of the president or chief executive officer of each 4-year State institution of higher education in the State. While university and college presidents of the State system serve as nonvoting members, the nine lay members constitute the voting membership of the council and are appointed for regular terms of 4 years on a staggered basis.

The government of each of the State universities and colleges is vested in its respective Board of Regents and/or Trustees. The Superintendent of Public Instruction serves as ex officio chairman of the boards of regents of six regional institutions of higher education. The Governor is ex officio chairman of the Board of Trustees of the University of Kentucky and the Superintendent of Public Instruction and the Commissioner of Agriculture serve as ex officio members. The University of Louisville Board of Trustees does not have any ex officio members and elects its chairman from its membership.

Among other powers and duties the council (1) engages in analyses and research to determine the overall needs of higher education in the Commonwealth; (2) develops and transmits to the Governor comprehensive plans for public higher education; (3) determines the entrance and registration fees and approves the qualifications for admission to public institutions of higher education; (4) considers the requirements and reviews the budget requests of the institutions of public higher education (the individual institutions' budget requests, including tuition and registration fee schedules for all categories of students, along with council recommendations, are submitted to the Governor through the Department of Finance by

November 15 of each odd-numbered year); (5) receives reports from the executive officer of each institution; (6) publishes annually a report of the educational and financial affairs of the institutions and disseminates other information relating to higher education; (7) approves all new professional schools and reviews and makes recommendations to the Governor regarding proposed new community and 4-year colleges; (8) prescribes the curricula for teacher education; and (9) constitutes the representative agency of the Commonwealth in all matters of higher education of a general and statewide nature which are not otherwise delegated to one or more institutions of higher learning.

LOUISIANA

The Department of Education is identified in the law as the organized staff under the executive direction of the Superintendent of Public Education. The department provides leadership functions in planning, advisory services, coordination, research, public relations, and inservice education. The regulatory and operational functions assigned by the Legislature as responsibilities of the department involve many services to assure an educated citizenry.

The State Board of Education consists of 11 members, eight of whom are elected, one from each congressional district, for overlapping terms of 8 years, and three of whom are elected, one from each public service commission district, for overlapping terms of 6 years. The board is charged, under the Constitution, with the supervision and control of all free public schools; trade and vocational-technical schools; special schools for the blind, deaf, cerebral-palsied and spastic; and State colleges and universities other than Louisiana State University and its branches. The board is a body politic and corporate which has the authority to sue and defend suits in all matters relating to the public schools except cases within the jurisdiction of the parish school boards. The board is authorized to prepare courses of study, rules, bylaws and regulations for the government of the public schools of the State, which are to be enforced by the parish superintendents and the several parish school boards. The board administers the affairs of eleven 4-year institutions, two 2-year institutions, 4/ six special schools, and the statewide system of 32 area trade and/or vocational-technical schools and two 2-year community colleges.

4/ Administration and supervision are subject to actions of the Louisiana Coordinating Council for Higher Education.

The Superintendent of Public Education is elected by the people on a partisan ballot for a 4-year term. The Superintendent serves as ex officio secretary of the State Board of Education. As the executive officer of the State Board of Education, the Superintendent is authorized to establish a State Department of Education with such divisions and positions as he may deem necessary or appropriate. He is empowered to select and employ the professional personnel in the Department of Education, and fix their salaries and define their duties.

The Louisiana Coordinating Council for Higher Education, a planning, coordinating, and advisory agency of State government, was established in 1968 by amendment to the Louisiana Constitution. The council consists of 15 members as follows: (1) One member of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College 5/ to be designated by the board; (2) one member of the State Board of Education, to be designated by that board; (3) 13 members appointed by the Governor with the advice and consent of the Senate.

Of the 13 appointive members, one is from each of the congressional districts in the State and the remaining members are appointed at large, but not more than three from any one congressional district. None of the 13 members is an elected official or an officer, employee, or member of any board or other governing authority of any public or private college or university during his tenure as a member of the council. All members appointed by the Governor, with the advice and consent of the Senate, are selected on the basis of their interest in and knowledge of higher education in Louisiana. Overlapping terms of the 13 appointive members are for 6 years. Terms of members selected by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and the State Board of Education are determined by the respective boards.

The 1972 session of the Louisiana State Legislature passed two bills which greatly increased the responsibility and authority of the Louisiana Coordinating Council for Higher Education. One authorized the council to review and recommend funding levels for operational budgets of all publicly supported institutions of

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5/ The Louisiana State University Board of Supervisors is an autonomous State agency enrolling more than 40,000 students and containing Louisiana's two medical schools, dental, law, and veterinary medicine schools, and most of the State's doctoral programs.

higher education in Louisiana; these budgets are to be forwarded to the council by the Louisiana State University Board of Supervisors and the State Department of Education. The other authorized the council to approve the creation of new departments of instruction, institutes, schools, divisions, colleges, and similar subdivisions in publicly supported colleges and universities.

During its brief existence, the council's authority has included, but not been limited to, (1) review of requests for new degree programs; (2) review of requests for new colleges, new campuses and expansion of existing institutions; (3) development of an appropriation formula for State-supported institutions of higher education; (4) creation of and participation in the Louisiana Interagency Committee on Higher Education; and (5) development of a master plan for the coordination of higher education in Louisiana.

The master plan as approved by the council contains 50 recommendations which are grouped under six subheadings: (1) Admissions and enrollment, (2) expanded educational opportunities, (3) coordination, organization, and governance of post-high school education in Louisiana, (4) graduate and professional programs, (5) institutional scope and mission, and (6) off-campus instruction.

The council appoints an executive director to serve at its pleasure, prescribes his duties, and fixes his compensation. The director is a person qualified by training and experience in higher education to understand its problems and needs. He is the chief administrative officer of the council and is responsible for appointing all employees and staff members, subject to the approval of the council.

MAINE

Under an act effective July 1, 1972, the Department of Educational and Cultural Services was created to supervise, guide, and plan for a coordinated system of public education for all citizens of the State, and to interrelate public education with other social, economic, physical, and governmental activities, programs, and services. The department provides for a coordinated, integrated system of cultural resources, programs, and projects; encourages and stimulates public interest in the advancement of education; and supports cultural and historical heritage, institutions, and activities at State and local levels.

The department consists of a Commissioner of Educational and Cultural Services and includes the following: The Department of Education, the State Board of Education, the Maine Education Council, the Commission for the Higher Education Facilities Act of 1965, the Advisory Council on Vocational Education, the School Building Authority, the Governor Baxter School for the Deaf, the State Commission on the Arts and the Humanities, the State Museum, the State Museum Commission, the State Historian, the State Library, and the Maine representatives to the New England Board of Higher Education.

The State Board of Education consists of nine members appointed by the Governor with the advice and consent of the Executive Council. The membership of the board is broadly representative of the public. No person who earns a substantial portion of his income as a teacher or as an administrator in an educational institution, other than as a college president, is eligible for appointment or service. Board members serve overlapping terms of 5 years.

The State board makes recommendations to the Legislature for the efficient conduct of the public schools of the State; approves the formation of school administrative districts; establishes, maintains, and operates State technical and vocational institutes and schools of practical nursing; acts upon applications for additions to and dissolution of school administrative districts; establishes requirements for approval and accreditation of elementary and secondary schools; adjusts subsidy to an administrative unit when the expenditures for education in such unit show evidence of unfair advantage or are adjudged excessive; grants permission for administrative units to enter into agreements for cooperative educational purposes; acts upon articles of agreement for creation of an interstate school district; develops and adopts a plan for the establishment of regional technical and vocational centers; approves standards for school construction; approves projects for State construction aid; approves the formation of community school districts; approves isolated secondary schools; obtains information regarding applications for granting degrees and makes a recommendation to the Legislature; recommends funds to the Bureau of the Budget for equalization of educational opportunity; establishes a student loan insurance program; serves as State agency for administering Federal funds, and serves as an appeals board for unclassified personnel.

The Commissioner of Educational and Cultural Services is appointed by the Governor from a list of three names provided by the State Board of Education with the approval of the Executive Council, to serve a term coterminous with the Governor's, subject

to removal for cause. The State board submits its list to the Governor within 20 days after the Governor takes the oath of office. If it fails to do so, the Governor may appoint his own nominee with the approval of the Executive Council.

The Commissioner or his duly authorized designee, except as otherwise provided, exercises the powers and performs the duties granted to the department under the law. The Commissioner is authorized to hire whatever personnel he deems necessary, subject to the personnel law, to fulfill the duties of the department. He also has the following duties:

1. Budget: coordinate, consolidate, and prepare a budget for the department;

2. Personnel: transfer personnel within the department to insure the efficient utilization of the department manpower;

3. Purchases: coordinate the purchase and use of all department equipment; and

4. Review: review the function and operation of the department to insure that overlapping functions and operations are eliminated.

The Commissioner does not have authority to interfere with the exercise of any discretionary authority granted to the Maine Museum Commission and the Maine Arts and Humanities Commission.

The statutory governing and planning agency for public higher education is the Board of Trustees, University of Maine. The university is a statewide institution created by the Legislature in 1968 through a merger of the former land-grant university with its four campuses, and the five State colleges. Among its duties, the board is responsible for preparing, approving, and presenting the operating and capital budgets of the university.

The university, encompassing all public postsecondary education in Maine (including two community colleges) except the postsecondary vocational-technical institutes and the Maine Maritime Academy, is a quasi-public institution, headed by the single 15-member Board of Trustees and a chancellor who is appointed by and serves at the pleasure of the board and who is the board's chief administrative and educational officer. Members of the Board of Trustees are appointed for overlapping terms of 7 years

by the Governor and confirmed by the Executive Council, a six-member body elected by the Legislature. The Commissioner of Educational and Cultural Services is an ex officio, voting member of the board.

Each of the university campuses is headed by a president (with the exception of the University of Maine at Bangor which is operated as a subdivision of the University of Maine at Orono). The presidents are appointed by the Board of Trustees upon the recommendation of the chancellor. The campuses of the university operate within a reasonable degree of autonomy. The presidents are the chief educational and administrative officers in terms of the day-to-day operations of the campuses. All budgets, major policies, new programs, principal appointments, tenure decisions, and other significant matters must be approved by the Board of Trustees on the recommendation of the chancellor.

MARYLAND

The Department of Education is entrusted with educational matters affecting the State and the general care and supervision of public education. The State Board of Education is at the head of the department.

The State Board of Education is composed of seven members appointed by the Governor for overlapping terms of 5 years. Members are appointed solely because of their character and fitness, but no person is to be appointed to the board who is in any way subject to its authority. The board determines the educational policies of the State, and enacts bylaws, rules, and regulations for the administration of the public school system, which when enacted and published have the force of law.

The State Superintendent of Schools is appointed by the State Board of Education for a term of 4 years. He must be a graduate of a standard college, have had not less than 2 years of special academic and professional graduate preparation in a standard university and not less than 7 years' experience in teaching and administration. The Superintendent is empowered to enforce all provisions of the school code and of the enacted and published bylaws of the State Board of Education. He is responsible for the administration of the State Department of Education.

Responsibility for the overall coordinating and planning of higher education in Maryland is vested in the Maryland Council for Higher Education. The council, with the cooperation of the various

institutional governing boards and the individual institutions, is charged with fashioning a viable system of quality higher education for the State. The council consists of 13 members appointed by the Governor with the advice and consent of the Senate. Members of the council are selected by the Governor solely by reason of their demonstrated interest in the broad range of higher education, their knowledge and understanding of its needs and problems, and their devotion to its cause; but not more than two members shall have attended the same institution of higher learning. Each member is appointed for a term of 6 years.

It is the duty of the council to conduct studies concerning the various aspects of public higher education in the State, to report the results of its researches, and to make recommendations to the governing (segment) boards of the public institutions of higher education and to appropriate State officials with respect to the matters it has considered. The statutory responsibilities of the council include the following:

1. Coordinate the growth and overall development of higher education in the State;

2. Investigate and evaluate the needs throughout the State for undergraduate, graduate, adult education, professional and technical training, and research facilities, and present plans and recommendations for major alterations in existing programs or facilities;

3. Recommend all new degree programs at the doctoral, masters, baccalaureate, and associate levels at public institutions of higher education;

4. Set standards to be followed by the public institutions of higher education for the reciprocal acceptance of credits earned by students transferring between institutions;

5. Develop plans and programs for interstate and regional cooperation and reciprocal agreements in higher education;

6. Study and make recommendations regarding the coordination of State and Federal support of higher education;

7. Prepare programs for the orderly growth and overall development of the State system of public higher education to meet changing needs of the population and the economy;

8. Investigate the State's needs for all types of post-secondary education and recommend the establishment and location of new facilities and programs;

9. Coordinate all aspects of the public institutions with the objective of achieving the most effective and economical employment of existing facilities;

10. Collect, store, and evaluate higher educational data throughout the State; and

11. Prepare such other studies and reports as requested by the Governor or the General Assembly.

In the fulfilling of these responsibilities, the council must work with the several governing boards and with the institutions themselves, the variety of State agencies whose concerns touch in part at least on higher education, with the U.S. Office of Education, and with comparable agencies in other States. It must also maintain working relationships with the executive and legislative branches of the State government, with numerous other professional educational organizations, and with the community at large.

The public institutions of higher education in Maryland, with one exception, fall into one of three categories and are governed, at least in part, by one of three statutory institutional governing boards. The University of Maryland and Maryland State College are governed by the Board of Regents which consists of 11 Governor-appointed members who serve terms of 5 years. The State colleges--Bowie, Coppin, Frostburg, Morgan, Salisbury, and Towson--come under the jurisdiction of the nine-member Board of Trustees of the Maryland State Colleges. The community colleges are coordinated at the State level by the seven-member Maryland State Board of Community Colleges and are governed at the local level by their respective community or regional boards. St. Mary's College of Maryland, which in the fall of 1967 became a coeducational 4-year institution after many years as a junior college for women, continues to operate under its own statutory Board of Trustees, consisting of 12 Governor-appointed members.

MASSACHUSETTS

The Department of Education is under the supervision and control of the Board of Education. Several of the agencies placed in the Department of Education by law function independently in conducting

their work and are not subject to its control. Serving in the department are the trustees of: The University of Massachusetts, the Lowell Technological Institute of Massachusetts, and the Southeastern Massachusetts University. Among other boards and commissions in the department are: The Advisory Council on Education, the Board of Library Commissioners, the Teachers' Retirement Board, the Board of Trustees of State Colleges, the Advisory Commission to the Board of Trustees of State Colleges, the Student Advisory Commission to the Board of Trustees of State Colleges, the Board of Regional Community Colleges, the Student Advisory Commission to the Board of Regional Community Colleges, the Council on the Arts and the Humanities, and the Higher Education Facilities Commission.

The Board of Education supports, serves, and plans general education in the public schools, and through its division of occupational education administers and supervises the administration of vocational education programs by every agency in the Commonwealth. The board consists of the Chancellor of the Board of Higher Education, the Director of Research of the Advisory Council on Education, and the Chairman of the Student Advisory Council, ex officio, and 11 members, residents of the Commonwealth, who are appointed by the Governor, one of whom is a member of a labor organization affiliated with the State labor council AFL-CIO and at least two of whom are women. The chancellor and director of research do not have a vote. No appointive member of the board is employed by or derives regular compensation from any educational institution, or school system, public or private, in the Commonwealth; is employed by or derives regular compensation from the Commonwealth; or serves as a member of a governing board of any public institution for higher education in the Commonwealth, or as a member of any school committee. Upon the expiration of the term of office of an appointive member of the board, his successor is appointed for a term of 5 years; no one is appointed to serve more than two full terms. The board, through its division of occupational education, is the State agency responsible for the administration of vocational education, and the supervision of the administration thereof by local education agencies.

The Commissioner of Education is appointed by the Board of Education and serves at its pleasure. He is the secretary to the board, its chief executive officer, and the chief State school officer for elementary and secondary education.

The Board of Higher Education is the statutory coordinating agency for public higher education in Massachusetts. Located in the Department of Education but not subject to its control, the board has as its purposes to support, facilitate, and delineate functions and programs for public institutions of higher education in the Commonwealth, or segments of such institutions, to allocate to them the responsibility and autonomy to discharge such functions and programs, and to plan and develop efficient and effective coordination among them; provided that the determination of individual courses within a general program of study is the sole responsibility of each institution.

The board consists of a member of the Board of Trustees of the University of Massachusetts selected by a majority vote of all the voting members of the board, a member of the Board of Trustees of State Colleges selected by a majority vote of all its members, a member of the Board of Regional Community Colleges selected by a majority vote of all its members, a member of the Board of Trustees of Lowell Technological Institute, and a member of the Board of Trustees for the Southeastern Massachusetts University selected by majority vote of all its members, each of the five members to serve for a term of 1 year; and seven persons appointed by the Governor, one of whom is a member of the governing board of a private institution of higher education in the Commonwealth, one of whom is a member of a labor organization affiliated with the Massachusetts State Labor Council AFL-CIO, and at least two of whom are women.

No member of the board is employed by or derives regular compensation from the Commonwealth or from any educational institution or school system, public or private. No two members are alumni of the same public institution, or segment of institution of higher education in the Commonwealth. No person who is serving as a member of a board of any public institution of higher education or of any school committee is appointed to the board. Upon the expiration of the term of office of any member of the board, his successor is appointed for a term of 5 years. No person is appointed to serve more than two full terms.

The board appoints a chancellor by a two-thirds vote of all its members and may in its discretion remove him by majority vote of all its members. He is secretary to the board and its chief executive officer.

Other statutory institutional governing boards in the State are: Trustees, University of Massachusetts; Trustees, State Colleges; Trustees, Lowell Technological Institute; Trustees, Southeastern Massachusetts University; and Board of Regional Community Colleges.

MICHIGAN

The State Department of Education was created pursuant to the Executive Organization Act, which sets forth the powers, duties, and functions of the department as required by the State Constitution. The executive order creating the department designates the State Board of Education as the head of the department and the Superintendent of Public Instruction as its principal executive officer.

The State Board of Education is vested with leadership and general supervision over all public education, including adult education and instructional programs in State institutions, except as to institutions of higher education granting baccalaureate degrees. It serves as the general planning and coordinating body for all public education, including higher education, and advises the Legislature as to financial requirements. The board consists of eight members who are nominated by party conventions and elected at large for overlapping terms of 8 years. The Governor fills any vacancy by appointment for the unexpired term. The Superintendent of Public Instruction and the Governor are nonvoting ex officio members of the board.

The executive order creating the Department of Education also brought into it the State Board for Libraries, the State Tenure Commission, the State Community and Junior College Board, the Higher Education Facilities Commission, and the Michigan Higher Education Assistance Authority. Specifically, the State Community and Junior College Board, the Higher Education Facilities Commission, and the Higher Education Assistance Authority serve the State Board of Education and the Bureau of Higher Education. The State Tenure Commission, the State Board for Libraries, and the State School District Reorganization Committee are responsible to the State Superintendent.

The Superintendent of Public Instruction is appointed by and serves at the pleasure of the State Board of Education. He is the chairman of the board without the right to vote, and is responsible for the execution of its policies. He is the principal executive officer of the State Department of Education.

The Regents of the University of Michigan, the Board of Trustees of Michigan State University, and the Board of Governors of Wayne State University have general supervision of their respective institutions and the control and direction of all expenditures from their institutions' funds. As often as necessary, each board elects a president of the institution under its supervision. He is the principal executive officer of the institution, an ex officio member of the board without the right to vote, and presides at its meetings. The constitutionally based board of each institution consists of eight elected members who hold office for terms of 8 years.

Other institutions of higher education established by law having authority to grant baccalaureate degrees are each governed by a board of control which is a body corporate. 6/ The board has general supervision of the institution and the control and direction of all expenditures from its funds. It elects, as often as necessary, a president of the institution under its supervision. He is the principal executive officer of the institution and is an ex officio member of the board without the right to vote. Each board of control consists of eight members who hold office for terms of 8 years, not more than two of which expire in the same year, and who are appointed by the Governor by and with the advice and consent of the Senate.

The Legislature provides by law for the establishment and financial support of public community and junior colleges which are supervised and controlled by locally elected boards. There are approximately 29 statutory boards of control for public junior and community colleges. With the exception of two colleges with nine-member boards and one with an eight-member board, these boards consist of seven members each. The Legislature provides by law for a State Board for Public Community and Junior Colleges which advises the State Board of Education concerning general supervision and planning for such colleges and requests annual appropriations for their support. This board consists of eight members who hold office

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6/ There are presently 10 statutory boards of trustees for 4-year public colleges and universities.

for terms of 8 years, not more than two of which expire in the same year, and who are appointed by the State Board of Education. The Superintendent of Public Instruction is an ex officio member of this board without the right to vote.

MINNESOTA

The State Department of Education is under the direction of the State Board of Education. The department exercises general supervision over the curriculum, staffing, financing, and administration of publicly operated elementary, secondary, and area post-secondary vocational-technical schools. It also exercises regulatory functions relative to private trade schools and educational institutions offering services under the Federal veterans' benefit law; developmental and consultative functions relative to community (or nonschool) libraries; provision of services leading to gainful employment of physically or mentally handicapped persons; and disability evaluations for persons applying for Federal social security benefits.

The State Board of Education is composed of nine members appointed for overlapping terms of 6 years by the Governor, by and with the approval of the Senate. At least one member resides in each of the State's eight congressional districts. The board has general supervision over public schools and public educational agencies in the State, classifies and standardizes public elementary and secondary schools, and prepares for them outlines and suggested courses of study. The board establishes rules relating to examinations, reports, acceptances of schools, courses of study, and other proceedings in connection with elementary and secondary schools applying for special State aid. The board also serves for all purposes as the State Board for Vocational Education.

The board administers the department through a Commissioner of Education who is appointed by the board for a term of 4 years. Serving as the executive officer and secretary of the board, the Commissioner has authority to nominate, for approval by the State board, officials and employees necessary to perfect and maintain the organization of the department as recommended by him and as adopted by the board. He is responsible for the efficient administration and discipline of the various offices and divisions in the organization of the department. He is required to make recommendations to the board which facilitate the work of the board.

The Higher Education Coordinating Commission is the statutory coordinating agency for public higher education in Minnesota. The commission consists of eight citizen members, one from each congressional district, and three citizen members to represent the State at large, all appointed by the Governor by and with the advice and consent of the Senate. All are selected for their knowledge of and interest in postsecondary education and at least one is selected specifically for his knowledge of and interest in vocational education. Except as provided by law, all members of the Higher Education Coordinating Commission are appointed for a 4-year term.

The commission is empowered to: (1) Continuously study and analyze all phases and aspects of higher education, both public and private, and develop necessary plans and programs to meet present and future needs of the State; (2) continuously engage in long-range planning of the needs of higher education and, if necessary, cooperatively engage in such planning with neighboring States and agencies of the Federal Government.

A 1971 amendment to the Minnesota Statutes added the Higher Education Advisory Council, the membership of which consists of the President of the University of Minnesota, the Chancellor of the State College Board, the Chancellor of the Junior College Board, the Commissioner of Education, and the Executive Director of the Minnesota Private College Council. The advisory council (1) brings to the attention of the Higher Education Coordinating Commission any matters which the council deems as needing attention of the commission, (2) makes recommendations to the commission, (3) reviews and comments upon proposals and other matters before the commission, and (4) provides any reasonable assistance to the commission in its efforts to fulfill its responsibilities. The commission periodically informs the council of all matters under consideration by the commission and refers all proposals to the council prior to transmitting them as recommendations to the Governor and the Legislature.

Public institutional governing boards in Minnesota are the University of Minnesota Board of Regents, the State College Board, the State Junior College Board, and the State Board of Education. The University of Minnesota Board of Regents is constitutional; the others are statutory. The State Board of Education is listed since it has legal responsibility for governance of more than 30 area vocational-technical schools.

MISSISSIPPI

The Department of Education consists of a State Superintendent of Education, an Assistant State Superintendent of Education, and subordinate staff. The department is charged with the execution of all laws relating to the administrative, supervisory and consultative services to the public schools, agricultural high schools, and junior colleges of the State of Mississippi.

The State Board of Education consists of three ex officio members--the Secretary of State, the Attorney General, and the State Superintendent of Education. The board was established under the State Constitution for the management and investment of the school funds according to law, and for the performance of such other duties as may be prescribed. The board is also designated the State Board for Vocational Education. The board has express duties provided by law concerning the direction of the State Department of Education.

A constitutional administrative officer, the State Superintendent of Education is elected by the people for a 4-year term on a partisan ballot at the same time and in the same manner as the Governor. He is responsible for the general supervision of the common schools and educational interests of the State. He is subject to the direction of the State Board of Education, and is the executive officer of the State Board for Vocational Education.

The Board of Trustees of Institutions of Higher Learning is the agency in Mississippi primarily responsible for governance of the State's eight 4-year public higher education institutions and, additionally, two agencies. The board consists of 13 members appointed by the Governor by and with the advice and consent of the Senate. Regular appointees serving 12-year terms are one member from each congressional and supreme court district and two members from the State at large. One additional trustee, a resident citizen of DeSoto County, Mississippi, is appointed for 4 years and votes only in matters pertaining to the University of Mississippi.

From its membership the board elects a president and vice president for terms of 1 year. The trustees are authorized to appoint a non-member as executive secretary and director. The powers and duties of the board pertain primarily to the various aspects of managing, controlling, and supervising the eight State institutions of higher learning as well as the Gulf Coast Research Laboratory; it has partial responsibility for the Mississippi Research and Development Center.

MISSOURI

The Department of Education includes the State Board of Education, the Division of Public Schools, the Division of Registration and Examination, and the related agencies assigned to the department. The work of the Division of Registration and Examination is conducted by several boards which are functionally independent in the department structure. The Division of Public Schools includes the Commissioner of Education, the members of the professional staff, and such other employees as are essential to the efficient operation of the division.

The State Board of Education consists of eight lay members appointed by the Governor, by and with the advice and consent of the Senate and after an open committee hearing, for overlapping 8-year terms, one member being appointed each year. At no time are more than four members to be of the same political party. Among its powers and duties, the board carries out the educational policies of the State relating to public schools that are provided by law and supervises instruction in the public schools.

The Commissioner of Education is appointed by and serves at the pleasure of the State Board of Education. He is the chief administrative officer of the State board and supervises the Division of Public Schools.

On August 8, 1972, the people of Missouri approved an amendment to the Constitution of Missouri, effective 30 days later, to reorganize the executive branch of State government. Among the provisions of the reorganization was the establishment of a department of higher education:

> There shall be established a department of higher education. A Coordinating Board for Higher Education which shall consist of nine members appointed by the Governor by and with the advice and consent of the Senate shall be established within the department. The qualifications and terms of the members of the board shall be fixed by law, but not more than five of its members shall be of the same political party. The Coordinating Board shall succeed the Commission on Higher Education with all its powers and duties and shall have such other powers and duties as may be prescribed by law.

Departments enumerated in the joint resolution are to be established by July 1, 1974, as successors to the departments in existence at the time of the adoption of the amendment. The appointment of all members of administrative boards and commissions and of all department and division heads, as provided by law, are to be made by the Governor with the advice and consent of the Senate.

MONTANA

As a result of a constitutional convention and a vote of the citizens of Montana on June 6, 1972, a new Constitution has been proclaimed by the Governor for the State of Montana. However, a case is pending before the Montana Supreme Court concerning the validity of the recent vote on the proposed new Constitution. If the proclamation of the Governor of Montana is affirmed by the Supreme Court, it is likely that several changes, as outlined in article X of the new Constitution, will be reflected by laws enacted at the forthcoming session of the Montana Legislative Assembly beginning in January 1973.

With the recodification of Montana's school law in 1971, the former Department of Public Instruction no longer exists. The Superintendent of Public Instruction is the executive head of Montana's elementary and secondary education system and has the authority to employ, organize, and administer a staff of personnel to assist him in the administration of the duties and services of his office.

The State Board of Education consists of 11 members--the Governor, the Superintendent of Public Instruction, and the Attorney General, ex officio, plus eight persons appointed by the Governor with the advice and consent of the Senate. The appointed members are equally divided between the two congressional districts of the State and so selected that not more than four are affiliated with the same political party or organization. Appointive members hold office for overlapping terms of 8 years. The Governor serves as president of the board and the Superintendent of Public Instruction serves as secretary. The State Treasurer acts as treasurer to the board.

The board has responsibility for the operational management of the Montana State School for the Deaf and Blind. It is designated as the State governing board for vocational education, and it also has powers and duties relative to teacher certification and school accreditation.

The Superintendent of Public Instruction is a constitutional officer in the executive department of State government. He is elected on a partisan ballot by the qualified electors of Montana for a 4-year term. To be eligible for the position a person must (1) be 30 years of age at the time of his election, (2) have resided within the State for the 2 years preceding his election, (3) hold at least a bachelor's degree from any unit of the Montana University System or from an institution recognized as equivalent by the Board of Education for teacher certification purposes, and (4) otherwise possess the qualifications for such office as are required by the State Constitution.

The Superintendent is an ex officio member of the State Board of Education and serves as secretary of the State board. Also, the Superintendent is the executive officer of the State board for vocational education purposes.

The State Board of Education, constitutionally created, serves ex officio as the Board of Regents, Montana University System. It has the power to perform all duties prescribed by the higher education provisions of the law. All such duties are performed in the name of the Regents of the Montana University System. When the board is meeting to consider subjects relating to the University System of Montana, there is, in addition to the 11 members previously described, a nonvoting member who is the students' representative member of the board. He is one of the student body presidents of the six units of the university system, and is elected for a 1-year term by a majority of the student body presidents.

As the statutory governing agency for higher education, the regents have general control and supervision of the units of the Montana University System, which is considered for all purposes one university. The regents appoint (1) a president and faculty for each of the institutions of the system and any other necessary officers, agents, and employees, and fix their compensation; and (2) an executive secretary of the system, who is not a unit president; they fix his term of office and salary, and generally prescribe his duties.

Based on legislative action, the regents are the statewide governing authority for community colleges. The new Constitution ratified in 1972 creates one board (Board of Public Education) to supervise the public school system and a separate board (Board of Regents of Higher Education) to supervise the university system.

The two boards together form one board (Board of Education) for considering mutual problems. Under the 1889 Constitution there is just one board to supervise the entire educational system.

NEBRASKA

The State Department of Education consists of the State Board of Education and the Commissioner of Education. The department is charged with general supervision and administration of the school system of the State and of such other activities as the Legislature may direct.

The State Board of Education is the policy-forming, planning, and evaluative body for the State school program. The board consists of eight members who are elected by the electors on a nonpartisan ballot from the eight districts into which the State is divided. Members of the board are elected for overlapping terms of 4 years, or until their successors are elected and qualified. The State Board of Education acts as the State Board of Vocational Education.

The Commissioner of Education is the executive officer and secretary of the State Board of Education and the administrative head of the professional, technical, and clerical staff of the State Department of Education. Acting under the authority of the State Board of Education, the Commissioner has the responsibility for carrying out the requirements of law and of board policies, standards, rules, and regulations, and for providing the educational leadership and services deemed necessary by the board for the proper conduct of the State school program. The State Board of Education appoints the Commissioner who serves at its pleasure. The board is empowered to remove the Commissioner from office for causes set forth by law.

Nebraska does not have a legally established statewide agency for higher education.

NEVADA

The Department of Education consists of the State Board of Education which also serves as the State Board for Vocational Education, and such other agencies and officers as are added by law to the State

Department of Education. The department receives its authority from the State Board of Education through its executive head, the Superintendent of Public Instruction. All administrative functions of the State Board of Education and of the Superintendent of Public Instruction are exercised through the department, and the department exercises all administrative functions relating to supervision, management, and control of schools not conferred by law on some other agency.

The State Board of Education is made up of nine members, elected by the people of the State on a nonpartisan ballot. Two of its members are elected from District 1, four from District 2, and two from District 3. All serve terms of 4 years each, with either four or five terms expiring every general election. 7/ The State board is the governing unit for the State Department of Education and provides policies under which the department under the Superintendent may function.

The Superintendent of Public Instruction is appointed by the State Board of Education and is the board's secretary. He holds office at the pleasure of the board. The Superintendent is executive head of the department and is responsible for its overall administration.

The Board of Regents, University of Nevada System, is the constitutionally based governing agency for the three community colleges and two 4-year institutions. 8/ After January 1, 1973, the Board of Regents will consist of nine members to be elected as follows: (1) Two members from District 1 (Washoe County), (2) five members from District 2 (Clark County), and (3) two members from District 3 (the remainder of the State). Once the initial terms of office delineated in the Nevada Revised Statutes have been completed, members elected to the Board of Regents will serve overlapping terms of 6 years. The Chancellor of the University of Nevada System is appointed by the Board of Regents.

7/ Four members' terms expire January 1, 1973; the remaining five expire January 1, 1975.

8/ The system of universities, colleges, research and public service units administered under the direction of the Board of Regents is known as the University of Nevada System. The Desert Research Institute is a separate division of the system.

NEW HAMPSHIRE

The Department of Education consists of the State Board of Education, the Commissioner of Education, and such other officials and employees as may be authorized.

The State Board of Education consists of seven members appointed by the Governor and council for overlapping terms of 5 years. 9/ The seven members of the board serve without pay and are neither technical educators nor professionally engaged in school work. The State board is vested with powers of management, supervision, and direction over all public schools in the State. It may make all rules and regulations necessary for the management of its own business and for the conduct of its officers, employees, and agents, and to secure the efficient administration of the public schools and the administration of the work of Americanization, teaching English to non-English-speaking adults and furnishing instruction in the privileges, duties, and responsibilities of citizenship, which is declared to be an essential part of public school education. It is the duty of school boards and employees of school districts to comply with the rules and regulations of the State board.

The Commissioner of Education is employed by the State Board of Education for an indefinite term and is subject to removal upon the majority vote of the entire board. He is required to be a skilled executive officer who has had training and experience in educational work. He is the chief executive officer and secretary of the board. He need not be a resident of New Hampshire when appointed.

The Coordinating Board of Advanced Education and Accreditation is the statutory coordinating agency for higher education in the State. The board consists of: (1) The Commissioner of Education, the presidents of the University of New Hampshire, Keene State College, and Plymouth State College, and the chairman of the State Board of Education or his delegated representative, ex officio; (2) one member of the State Senate, appointed by the President of the Senate; (3) one member of the State House of Representatives, appointed by the Speaker of the House; and (4) five members appointed by the Governor with the advice and consent of the council; three of these five appointed members may be educators selected from the private institutions of higher learning of New Hampshire. The members

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9/ The council consists of five members elected on a partisan ballot, one from each of five districts by its qualified voters. The council advises the Governor.

appointed from the Senate and House of Representatives serve on the board for a period of time coterminous with their respective legislative terms. The five appointive members of the board serve terms of 5 years.

The function of the board is to advise the Legislature (1) concerning the granting of degrees, including community colleges, and (2) relating to planning and coordinating higher education, including initiating studies on matters of higher education and work with the New Hampshire members of the New England Board of Higher Education or other interstate and regional agencies. The board evaluates institutions of higher learning seeking to grant degrees or issue diplomas, and makes appropriate recommendations to the Legislature, except for those exempted by law.

The procedure and criteria for evaluation are established by the board. Within 5 years after an institution in the State of New Hampshire, except for those exempted by law, receives authority to grant degrees or issue diplomas or within 5 years after the effective date of the board's enabling act for those receiving such authority prior to the establishment of the board, and thereafter at least once every 10 years, it is evaluated by the board. On the basis of such evaluation, the board classifies the institution into a category which indicates its status regarding approval and/or accreditation. The procedure and criteria for classification are established by the board. The board may accept as a basis for classification, in lieu of evaluation by the board, accreditation by a recognized regional or national accrediting association.

NEW JERSEY

The State Department of Education is a principal department in the executive branch of the State government, and it consists of the State Board of Education, which is the head of the department, the Commissioner of Education, and such divisions, bureaus, branches, committees, officers, and employees as are necessary.

The State Board of Education consists of the chairman of the Board of Higher Education and the chancellor, who are ex officio members without vote and 12 members who are citizens and residents of the State for not less than 5 years immediately preceding their appointment, not fewer than three of whom are women and not more than one of whom is appointed from among the residents of any one

county. The members of the State board are appointed by the Governor, by and with the advice and consent of the Senate, for terms of 6 years. The general supervision and control of public education in the State, except higher education, and of the State Department of Education, are vested in the State board, which formulates plans and makes recommendations for the unified, continuous, and efficient development of public education, other than higher education, of people of all ages within the State.

The Commissioner of Education is appointed by the Governor, without regard to residence within the State, with the advice and consent of the Senate, for a term of 5 years. He is (1) the chief executive and administrative officer of the department; (2) the official agent of the State board for all purposes; (3) the budget request officer and the approval officer of the department, with power to delegate duties as the law provides; and (4) authorized, subject to law, to designate one of the assistant commissioners to act in his stead during his absence, and to assign duties to the assistant commissioners, to the directors of the special services, to the Secretary of the State Board of Examiners, and to the inspectors, assistants, and employees of the department. The Commissioner makes all appointments of personnel, subject to the approval of the State board and to civil service regulations, and assigns their duties; and he is charged with supervising all schools of the State receiving any part of the State appropriations.

The Department of Higher Education is a principal department in the executive branch of the State government and consists of a Board of Higher Education, a chancellor, and such divisions, bureaus, branches, committees, officers and employees as are necessary. Supervision of higher education was transferred from the State Department of Education to the Department of Higher Education July 1, 1967.

As the statutory coordinating State agency for higher education, the Department of Higher Education (1) advises and informs the Governor on the affairs and problems of higher education and makes recommendations to the Governor for proposed relevant legislation; (2) stimulates programs relating to higher education through publicity, education, guidance, and technical assistance concerning Federal and State programs; (3) encourages cooperative programs by institutions of higher education; (4) maintains an inventory of data and information and acts as a clearinghouse and referral agency for information on State and Federal services and programs; and (5) exercises all of the duties, functions, and powers formerly exercised by the Department of Education pertaining to higher education and the jurisdiction, supervision, and control of institutions of higher education.

A component of the Department of Higher Education, the Board of Higher Education is composed of the chairman of the Board of Governors at Rutgers, the State University; the chairman of the Board of Trustees of the College of Medicine and Dentistry of New Jersey; the chairman of the Board of Trustees of Newark College of Engineering; the chairman of the Council of State Colleges; the chairman of the Council of County Colleges; the president of the State Board of Education; a representative of the private colleges and universities of New Jersey designated by the Association of Independent Colleges and Universities in New Jersey, with the approval of the Governor; and nine citizens, residents of the State, of whom at least two are women. The chancellor and the State Commissioner of Education are ex officio additional members, but without vote. The citizen members of the board are appointed by the Governor with the advice and consent of the Senate and are selected on the basis of their knowledge of, or interest or experience in, problems of higher education and without regard to political belief or affiliation. Appointed members serve overlapping terms of 6 years.

The chief executive officer and administrator of the department is the chancellor. The first chancellor was appointed by the Governor with the advice and consent of the Senate. Successive chancellors are to be appointed by the Board of Higher Education, subject to the approval of the Governor, for terms of 5 years.

The board (1) conducts research on higher educational needs; (2) develops and maintains a comprehensive master plan which is long-range in nature and is regularly revised and updated; (3) establishes new colleges, schools, units, divisions, institutes, departments, branches, and campuses, as required by the master plan, subject to availability of funds through appropriation or otherwise; (4) establishes minimum admission standards for all public institutions of higher education; (5) establishes minimum standards for all public institutions of higher education for degree granting, approves new programs and degrees and discontinuance of degrees and educational programs as required; (6) receives all budget requests from the institutions, coordinates and balances such requests, and submits a combined request for appropriations annually to the Governor; and (7) is an agency of communication with the Federal Government on public funds available to the State for higher education, and receives and recommends the disbursement of such funds by the State.

NEW MEXICO

The State Department of Public Education is created by the State Constitution. The operation of the department is supervised and directed by the Superintendent of Public Instruction and is subject to the policies of the State Board of Education. The department is charged with (1) supervising all schools and school officials coming under the jurisdiction of the State board, and (2) advising boards of regents of State educational institutions on matters concerning the public school code.

The constitutionally created State Board of Education is the governing authority and has control, management, and direction of all public schools, except as otherwise provided by law. It is responsible for determining policy for the operation of all public schools and vocational education programs in the State. The board may delegate administrative functions to the Department of Education; it is also designated the State Board for Vocational Education. The board consists of 10 members, one elected at a general election from each of the judicial districts of the State, for overlapping terms of 6 years.

The Superintendent of Public Instruction is appointed by and serves at the pleasure of the State Board of Education. Subject to the policies of the board, the Superintendent is the chief administrative officer of the State board and supervises and directs the operation of the Department of Education. The Superintendent is responsible for keeping a record of all proceedings of the board.

The statutory coordinating agency for public higher education in New Mexico is the Board of Educational Finance. The primary function of the board is to deal with the problems of finance of those educational institutions designated in the State Constitution. 10/ The Board of Educational Finance receives, adjusts, and approves the budgets submitted by the several institutions prior to their submission to the budget officers of the State and exercises other powers granted by law. Notwithstanding any other provisions of law, the Board of Educational Finance, a commission broadly representative

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10/ The Constitution of New Mexico authorizes the Legislature to establish powers for boards of regents of: The University of New Mexico, New Mexico State University, New Mexico Highlands University, Western New Mexico University, Eastern New Mexico University, New Mexico Institute of Mining and Technology, and New Mexico Military Institute.

of the public and of institutions of higher education, may be designated by the Governor to administer funds furnished under acts of congress for those educational institutions enumerated in the State Constitution and for other educational institutions over which the Board of Educational Finance has been granted approval authority and/or supervisory powers.

The Board of Educational Finance consists of 13 members, one from each of eleven two- or three-county subdivisions of the State. The Governor appoints 11 members who are qualified electors of the State, no more than six of whom are, at the time of their appointment, members of the same political party. After initial appointments, members are to be appointed from their respective counties for overlapping terms of 6 years. Board members are residents of the counties which they represent and change of residence of a board member to a place outside the counties from which he was appointed automatically terminates his term.

The Governor appoints two members from among the student body presidents, either graduate or undergraduate, of the University of New Mexico, New Mexico State University, New Mexico Highlands University, Western New Mexico University, Eastern New Mexico University, and the New Mexico Institute of Mining and Technology. These members are nonvoting and serve ex officio for a term of 1 year. The Governor's appointments of these members to the board are made so that (1) their terms as student body presidents of their respective universities or institutes coincide with their membership on the board; (2) each university or institute is represented on the board once every 5 years; and (3) each university or institute is represented on the board for no longer than two consecutive terms.

In order to execute its functions, the board appoints and fixes the salary of a full-time executive secretary who is an experienced educator of demonstrated competence in the fields of institutional management and finance.

NEW YORK

The University of the State of New York, which consists of all secondary and higher educational institutions incorporated in New York State and such other libraries, museums, institutions,

schools, organizations, and agencies for education as may be admitted to or incorporated by the university, is vested with corporate powers of two broad types. It is empowered, first, to promote and encourage the extension and improvement of educational facilities and techniques throughout the State. Under this power, its functions include the rendering of advice and assistance to the many educational institutions and agencies of the State in the operation of their programs.

Second, it is empowered to establish and enforce educational and professional standards in the interests of the people of the State. In the performance of this function, the university is empowered to charter, register, and inspect educational institutions; to license practitioners in nearly all the professions; to certify teachers and librarians; and to apportion State financial assistance to public educational institutions.

The Board of Regents is the governing body of The University of the State of New York and the State Education Department; it has overall supervision of education in the State for both public and private schools, from prekindergarten to graduate programs. The regents are elected by the Legislature, one from each of the State's 11 judicial districts, plus four elected at large. The regents serve without pay and are elected for terms of 15 years, with one member's term expiring annually. Officers of the board are the chancellor and vice chancellor, elected from among their number by a majority of the regents.

The primary functions of the Board of Regents are the formulation of educational policy for the State and the exercise of powers which reside in the university. The policies and procedures established by the regents are known as Regents Rules, and have the force and effect of law.

The regents exercise control over the incorporation of educational institutions and organizations. They approve courses in domestic and foreign institutions and the fixing of the values of degrees, diplomas, and certificates presented for entrance to schools, colleges, universities, and the professions. They control the issuance, suspension, or revocation of licenses or certificates pertaining to practice in the professions. They are responsible for approving the incurrence by certain public school districts of any bonded indebtedness in excess of 10 percent of local property valuation.

The Board of Regents heads the State Education Department, which is charged with the general supervision of the educational system of the State. The varied administrative and supervisory functions performed by the staff fall into three major categories: (1) Planning for the State's total educational program, (2) promoting good educational practice in institutions subject to its supervision, and (3) regulating with respect to matters in which mandatory requirements must be enforced.

The Commissioner of Education is the chief executive officer of the State Education Department and is appointed by and serves at the pleasure of the Board of Regents. He serves also as president of The University of the State of New York. The Commissioner's duties are both executive and quasi-judicial. In an executive capacity he directs the work of the university and of the State Education Department. He is responsible for administering the policies established by the regents and for the general supervision of the schools of the State. With the approval of the regents, he promulgates regulations for putting into effect the education law and Regents Rules. The Commissioner serves as a court of appeal for the public school system, adjudicating controversies which may be brought before him under the provisions of the education law.

The University of the State of New York includes the State University of New York, established by law in 1948 as a part of the State Education Department. The State university is governed by a board of 15 trustees appointed by the Governor and is headed by a president selected by the trustees.

Subject to the statutes and Regents Rules affecting the State university and other higher education institutions, the trustees are directly responsible for the administration of the State-operated colleges and centers conducting classes, and have general supervision of the State-supported statutory colleges at Cornell and Alfred Universities and the locally sponsored community colleges.

There are 74 units in the university system; four university centers; four health sciences centers; 14 colleges of arts; the State colleges of agriculture, human ecology, veterinary medicine, and industrial and labor relations at Cornell University; the State University College of Ceramics at Alfred University; the College of Environmental Science and Forestry; the Maritime College; the College of Optometry; six 2-year agricultural and technical colleges; and the 38 community colleges.

The university also includes the Range School, a division of the College of Environmental Science and Forestry; the Center for International Studies and World Affairs at Albany; and five urban centers administered by community colleges.

Working within the overall planning of the Board of Regents and the State Education Department, the trustees are responsible for planning the further improvement and extension of programs and facilities to meet the needs for public higher education in New York State.

NORTH CAROLINA

The legally created Department of Public Education was made operative by executive order of the Governor by July 1, 1972. Legislation enacted by the 1971 General Assembly contains a description of the department, including the following provisions:

1. The head of the Department of Public Education is the State Board of Education;

2. The State Board of Education shall have such powers and duties as are conferred on the board by this legislation, delegated to the board by the Governor, and conferred by the Constitution and laws of the State;

3. Except as otherwise provided in the Constitution or in this legislation, all powers, duties, and functions vested by law in the State Board of Education are transferred to the Department of Public Education;

4. The office of the Superintendent of Public Instruction and the Department of Public Instruction are transferred to the Department of Public Education. The Superintendent of Public Instruction shall be the secretary and chief administrative officer of the State Board of Education, and shall have such powers and duties as are conferred by the Constitution, the State Board of Education, and the laws of the State;

5. The Department of Community Colleges is transferred to the Department of Public Education;

6. The North Carolina Vocational Textile School, and Board of Trustees, are transferred to the Department of Public Education;

7. All the rights, duties, and privileges of the State obtained as a party to the Interstate Compact for Education shall be supervised and administered by the Superintendent of Public Instruction;

8. The North Carolina Advancement School is transferred to the Department of Public Education;

9. All the rights, duties, and privileges of the State obtained as a party to the Interstate Agreement on Qualifications of Educational Personnel shall be supervised and administered by the Superintendent of Public Instruction;

10. The Textbook Commission is transferred to the Department of Public Education.

The State Board of Education consists of the Lieutenant Governor, the State Treasurer, and 11 members appointed by the Governor, subject to confirmation by the General Assembly in joint session. Of the appointive members of the State board, one is appointed from each of the eight educational districts and three are appointed as members at large. Appointments are for terms of 8 years and are made in four classes. Appointments to fill vacancies are made by the Governor for the unexpired terms and are not subject to confirmation. The general supervision and administration of the free public school system is vested in the State board. The board has general supervision and administration of the educational funds provided by the State and Federal Governments, excepting those otherwise mentioned in the State Constitution, and also excepting such local funds as may be provided by a county, city, or district. The State Board of Education serves as the coordinating agency for the 15 community colleges and the 39 technical institutes.

A constitutional officer in the executive department, the Superintendent of Public Instruction is the secretary and chief administrative officer of the State Board of Education. The Superintendent is elected on a partisan ballot by the qualified voters of the State every 4 years, at the same time and places as members of the General Assembly are elected.

On July 1, 1972, the Board of Higher Education and the Board of Trustees of the Consolidated University of North Carolina were terminated. The reorganization included the creation of a Board

of Governors of the University of North Carolina System which is a governing board for all public higher education in North Carolina. Institutions have local boards of trustees, but their powers are for the most part delegated by the Board of Governors.

The University of North Carolina is composed of 16 public senior constituent institutions. The Board of Governors consists of (1) three persons elected prior to January 1, 1972, by and from the membership of the Board of Trustees of East Carolina University and two persons elected prior to January 1, 1972, by and from the membership of the Board of Trustees of each of the following institutions: Appalachian State University, North Carolina Agricultural and Technical State University, North Carolina Central University, and Western Carolina University; (2) one person elected prior to January 1, 1972, by and from the membership of the Board of Trustees of each of the following institutions: Elizabeth City State University, Fayetteville State University, North Carolina School of the Arts, Pembroke State University, and Winston-Salem State University; (3) 16 persons elected prior to January 1, 1972, by and from the membership of the Board of Trustees of the University of North Carolina; and (4) two persons elected prior to January 1, 1972, by the Board of Higher Education from its eight members at large. The latter two are nonvoting members whose terms expire June 30, 1973. Of the 16 persons elected by the Board of Trustees of the University of North Carolina, four serve a term ending June 30, 1973, four serve a term ending June 30, 1975, four serve a term ending June 30, 1977, and four serve a term ending June 30, 1979.

As the terms of members of the Board of Governors expire, their successors will be elected by the Senate and House of Representatives. Eight members will be elected at the regular legislative session in 1973 and every 2 years thereafter.

The Board of Governors elects from its membership for 2-year terms, and until their successors have been elected and qualified, a chairman, a vice chairman, and a secretary. No person may serve as chairman more than 4 years in succession.

Generally, the Board of Governors is charged with planning and developing a coordinated system of higher education in North Carolina. To this end it governs the 16 constituent institutions, subject to the powers and responsibilities given to the boards of trustees of the institutions, and maintains close liaison with the State Board of Education, the Department of Community Colleges, and the private colleges and universities of the State. Additionally, the Board of Governors is responsible for the general determination, control, supervision, management, and governance of all affairs of the constituent institutions.

NORTH DAKOTA

The Department of Public Instruction is not expressly defined in the law; reference is generally made to the staff under the executive direction of the Superintendent.

The State Board of Public School Education consists of the Superintendent of Public Instruction and one qualified elector from each judicial district in the State appointed by the Governor subject to the consent of the Senate. Nominations are made by the Governor from a list of three names for each position to be filled on the board; such names are selected by a committee consisting of the president of the North Dakota State's Attorneys Association, the president of the North Dakota School Administrators Association, and the president of the North Dakota School Boards Association. Appointive members serve for overlapping terms of 6 years. At all times, two members of the board are members of the North Dakota School Boards Association. The State Board of Public School Education is the State Board of Vocational Education.

The Superintendent of Public Instruction is a constitutional officer in the executive department elected by the qualified electors of the State to a term of 4 years. He has the general supervision of the common and secondary schools of the State and serves as executive director and secretary of the Board of Public School Education. The Superintendent is charged with calling meetings of the board which may be required, supervising and carrying out policies of the board in relation to all functions of the board, and employing personnel necessary to carry on responsibilities which may be placed upon the board by law.

The State Board of Higher Education consists of seven members appointed by the Governor by and with the consent of the Senate. Nominations are made by the Governor from a list of three names for each position selected by the unanimous action of the President of the North Dakota Education Association, the Chief Justice of the Supreme Court, and the Superintendent of Public Instruction. All members of the board are qualified electors and taxpayers of the State who have resided in the State for 5 years immediately preceding their respective appointments. Members serve staggered terms of 7 years. The board appoints, for a term not to exceed 3 years, the State Commissioner of Higher Education who is responsible to, and chief executive officer of, the board, and who performs duties which are prescribed by it.

The board has full authority over the institutions under its control with the right to prescribe, limit, or modify the courses they offer. In furtherance of its powers, the board has the power to delegate to its employees details of the administration of the institutions under its control. The board has authority to organize or reorganize, within constitutional and statutory limitations, the work of each institution under its control, and to do everything necessary and proper for their efficient and economical administration.

The State Board of Higher Education and the State Board of Public School Education hold at least one joint meeting each year at the joint call of the Superintendent of Public Instruction and the Commissioner of Higher Education for the purpose of coordinating their programs and specifically considering matters in relation to teacher training, teaching standards, and teacher certification.

The State Board of Higher Education controls and administers the following State educational institutions: (1) The State University and the School of Mines, at Grand Forks, with their substations; (2) the Agricultural College and the Experiment Station, at Fargo, with their substations; (3) the School of Science, at Wahpeton; (4) the State Normal Schools and Teachers' Colleges, at Valley City, Mayville, Minot, and Dickinson; (5) the Normal and Industrial School, at Ellendale; (6) the School of Forestry, at Bottineau; and (7) other State institutions of higher education which may be established.

OHIO

The Department of Education consists of the State Board of Education, the Superintendent of Public Instruction, and a staff of such professional, clerical, and other employees as may be necessary. The department is the administrative unit and organization through which the policies, directives, and powers of the State Board of Education and the duties of the Superintendent of Public Instruction are administered by the Superintendent as executive officer of the board. The department is organized as provided by law or by order of the State Board of Education.

The State Board of Education consists of 23 members, one of whom is elected from each of the 23 districts created by law. Terms of members overlap and are for 6 years. The board is responsible

for exercising, under the acts of the Legislature, general supervision of the system of public education in Ohio. It also serves as the State Board of Vocational Education.

The Superintendent of Public Instruction is appointed by and serves at the pleasure of the State Board of Education. He acts as the board's secretary ex officio and is its executive and administrative officer. As secretary, the Superintendent has no vote upon any matters being acted upon by the board, but may be called upon by the board to express opinions, make recommendations, or report upon any matters pending, or may ask leave of the board to do so when he may deem it desirable. The Superintendent is the chief administrative officer of the department.

The Ohio Board of Regents is the statutory coordinating agency for public higher education in the State. The board consists of nine members appointed by the Governor with the advice and consent of the Senate. The members are Ohio residents who possess an interest in and knowledge of higher education. No member is a trustee, officer, or employee of any public or private college or university while serving as a member of the board. In addition to the members appointed by the Governor, the chairmen of the Education Committees of the Senate and the House of Representatives are ex officio members of the board without a vote. Appointed members serve overlapping terms of 9 years.

The board appoints a chancellor to serve at its pleasure and prescribes his duties. The chancellor is the administrative officer of the board, and is responsible for appointing all employees and staff members, subject to board approval. The chancellor must be a person qualified by training and experience to understand the problems and needs of the State in the field of higher education and to devise programs, plans, and methods of solving the problems and meeting the needs.

Specific powers of the Board of Regents are delineated in the law. It (1) makes studies of State policy in the field of higher education and formulates a master plan for higher education for the State, considering the needs of the people, the needs of the State, and the role of individual public and private institutions within the State in fulfilling these needs; (2) reports annually to the Governor and the General Assembly on the findings from its studies and the master plan for higher education for the State; (3) approves the establishment of new branches or academic centers of State colleges and universities; (4) approves the establishment of State technical institutes or any other State institution of higher education; (5) recommends the nature of the programs (undergraduate,

graduate, professional), State-financed research, and public services which should be offered by the State colleges, universities, and other State-assisted institutions of higher education in order to utilize to the best advantage their facilities and personnel; (6) makes recommendations to the Governor and General Assembly concerning the development of State-financed capital plans for higher education; the establishment of new State colleges, universities, and other State-assisted institutions of higher education; and the establishment of new programs at the existing State colleges, universities, and other institutions of higher education; (7) reviews the operation requests of the public community colleges and the State colleges and universities and submits its recommendations in regard to the biennial higher education appropriation for the State, including appropriations for the individual State colleges and universities and public community colleges; and (8) approves all new degrees and new degree programs at all State colleges, universities, and other State-assisted institutions of higher education.

Pursuant to provisions of the law, the Board of Regents approves proposed official plans of community college districts, and issues charters for operation of community colleges. The board prepares a State plan and does all other things necessary for participation in Federal acts relative to the construction of higher educational academic facilities.

The board establishes and administers an instructional grant program for full-time undergraduate students in an Ohio institution of higher education which is State-assisted or which has received a certificate of authorization from the board.

Since July 1, 1971, all public post-high school technical education programs have been operated by technical institutes, community colleges, university branches, State colleges, State-affiliated universities, and State universities.

In addition to 11 statutory institutional governing boards in the State, there are one State-affiliated university (University of Cincinnati), four community colleges governed by individual county boards, and 17 technical institutes governed by individual school district boards.

OKLAHOMA

The Department of Education comprises the agencies created or authorized by the Constitution and Legislature, charged with the responsibility of determining the policies and directing the administration and supervision of the public schools of the State: The State Board of Education, the State Superintendent of Public Instruction, and such divisions and positions as may be established by law and by the board.

The State Board of Education consists of seven members, the Superintendent of Public Instruction ex officio, and six persons appointed by the Governor, with the advice and consent of the Senate, for overlapping 6-year terms. The State Superintendent is president and executive officer of the board, which is vested with control of the State Department of Education and the supervision of the public school system of Oklahoma. The board establishes and prescribes the duties of an executive officer who is the State Superintendent of Public Instruction; adopts policies and makes rules and regulations for the operation of the State Department of Education and the public school system; organizes and has control of the administrative and supervisory agencies, divisions, personnel and their appointment and salaries; and has authority to require all recommendations to be presented through its executive officer, its executive officer to be responsible for interpretation of board policy, and its employees to present any specific matters directly to the board.

The Superintendent of Public Instruction is elected by the qualified voters of the State on a partisan ballot for a 4-year term, which is concurrent with the Governor's term. No person is eligible for the office of State Superintendent of Public Instruction unless he (1) holds at least a master's degree in school administration from a college recognized by the State Board of Education; (2) is a citizen of the United States at least 31 years of age and who shall have been for 10 years next preceding his or her election a qualified elector of the State; and (3) meets the requirements to qualify for an administrator's certificate. The Superintendent is president and executive officer of the State Board of Education.

The State Board of Vocational and Technical Education consists of the State Superintendent of Public Instruction and the six appointed members of the State Board of Education as ex officio voting members,

plus six members appointed by the Governor, five with the advice and consent of the Senate. The Governor appoints one such member from each of the six congressional districts. Members' terms are 6 years. The chairman of the board is the State Superintendent of Public Instruction. The director of the Department of Vocational and Technical Education serves as an ex officio nonvoting member and is the executive officer of the board.

The Board of Vocational and Technical Education has the supervision of the Department of Vocational and Technical Education and the vocational and technical schools and colleges of Oklahoma. 11/ The board is the sole State agency for receiving and administering Federal funds relating to vocational and technical education and manpower training. The board works in the areas of (1) formulation and adoption of curricula, courses of study, and other instructional aids necessary for the adequate instruction of students in vocational and technical schools and colleges of Oklahoma; (2) acquisition of equipment, materials, supplies, and other property necessary for operation of the vocational and technical schools of the State; and (3) furtherance of vocational and technical training by entering into agreements and contracts with the State Board of Education, boards of trustees of community junior colleges, boards of education of independent and dependent school districts, boards of education of area school districts for vocational and/or technical schools, private educational or training institutions, public or private industry, and boards of directors of community action programs.

The amendment to the Constitution which provided for the creation of the Oklahoma State System of Higher Education also provided for a coordinating board of control of the State system to be known as the Oklahoma State Regents for Higher Education. The board is composed of nine members appointed by the Governor and confirmed by the Senate. The members must be citizens of the State, at least 35 years of age, and may not be employees of the State or members of the staff or governing board of any constituent member of the State system. They serve 9-year overlapping terms.

11/ Except Oklahoma State University of Technical Training at Okmulgee and the Oklahoma State University Technical Institutes at Oklahoma City and Stillwater, which, however, are eligible to participate in Federal programs administered by the State Board of Vocational and Technical Education.

As the coordinating board of control of the Oklahoma State System of Higher Education, the State Regents (1) prescribe standards of education applicable to each institution; (2) determine the functions and courses of study in each of the institutions to conform to the standards prescribed; (3) grant degrees and other forms of academic recognition for completion of the prescribed courses in all such institutions; (4) recommend to the State Legislature the budget allocations of each institution; (5) have the power to recommend to the Legislature proposed fees for all such institutions, any such fees to be effective only within the limits prescribed by the Legislature, after taking due cognizance of expressed legislative intent; (6) allocate funds to each institution according to its needs and functions from appropriations made by the Legislature; (7) coordinate private, denominational, and other institutions of higher learning with the State system under regulations set forth by the State Regents; (8) prescribe standards of admission to, retention in, and graduation from State educational institutions; (9) accept Federal funds and grants in accordance with Federal regulations; and accept and disburse grants, gifts and devises, bequests and other moneys and property from foundations, corporations, and individuals; and establish, award, and disburse scholarships and scholarship funds and rewards for merit from any funds available for such purposes; (10) allocate revolving and other non-State-appropriated educational and general funds; (11) transfer from one institution to another any property belonging to such institution when no longer needed by it and when needed by another institution to accomplish its functions; and (12) prepare and publish biennially a report to the Governor, the Legislature, and institutions, setting forth the progress, needs, and recommendations of State educational institutions and of the State Regents; conduct studies, surveys, and research projects to gather information about the needs of State educational institutions, and make such additional reports and recommendations as it deems necessary or as the Governor or the Legislature may direct, and publish such information as may be deemed worthy of dissemination.

The State Regents are authorized by law to appoint such personnel as they deem necessary and to fix their duties and compensation.

The chancellor is the chief administrative officer of the State Regents and his duties and responsibilities are to: (1) See that policies and programs of the State Regents are executed; (2) gather information about the State system and make recommendations to the State Regents; (3) provide State-level leadership for coordinating programs and activities of all constituent institutions of the State system; (4) provide leadership in following up to obtain appropriations from the Legislature for operation of the State system as

requested by the State Regents; (5) represent the State Regents office in providing information for release to the press, the Legislature, the Governor, other State agencies, Federal Government agencies, and the public generally regarding the coordinating board's activities; (6) recommend the employment of, and provide general supervision for, all personnel of the State Regents office; and (7) report regularly to the State Regents regarding the administration of State Regents affairs.

Once the functions and courses of study of each institution are determined, standards of education established, and funds allocated to carry out functions, the governing board has the responsibility for operation of the institution. The governing board through the president of the institution also has responsibility for making recommendations to the State Regents regarding possible changes in functions, courses of study, standards, and budgetary needs for both general operation and capital improvements.

OREGON

The Department of Education, which functions under the direction and control of the State Board of Education, consists of the State Board of Education, the State Textbook Commission, and such other agencies and officers as are added by law to the department. All administrative functions of the State Board of Education are exercised through the department, and the department exercises all administrative functions of the State relating to supervision, management, and control of schools and community colleges not conferred by law on some other agency.

The State Board of Education consists of seven members appointed by the Governor, subject to confirmation by the Senate, for overlapping terms of 7 years. In making appointments to the board, the Governor selects from residents of Oregon one member from each of the four congressional districts, and the remainder from the State at large. No members are engaged in teaching or participate in the administration or operation of any school.

The State Board of Education (1) establishes State standards for public schools, considering first the goals of modern education and the requirements of a sound comprehensive curriculum with particular emphasis on establishment of the highest practical scholarship standards and, in secondary schools, establishment of academic

standards necessary to enable students to attend institutions of higher education both within and without the State of Oregon, and considering also the health, safety, and scholastic needs of the students, the population, climate, economy, and geography of the school districts and any other factors necessary to the maintenance of a modern and efficient school system; (2) reports to the legislative assembly biennially, as provided by law, including in its report information on the general condition of the public schools of the State and all information that in the judgment of the State board may be useful to the public, or for the advancement of the educational interests of the State; (3) adopts rules for the general government of public schools, for the maintenance of discipline, and for the performance of the board's functions; and (4) prescribes required or minimum courses of study.

The Superintendent of Public Instruction is a constitutionally elected officer who serves a term of 4 years. The Superintendent exercises, under the direction of the State Board of Education, a general superintendence of school officers and the public schools.

The Superintendent (1) acts as administrative officer of the State Board of Education; (2) acts as executive head of the Department of Education; (3) assists all district school boards, intermediate education district boards, and county school boards in answering questions concerning the proper administration of the school laws, the rules of the State Board of Education, and the ministerial duties of school officers and teachers; (4) obtains and compiles such statistical information relative to the condition and operation of the public schools as he may consider advisable for the advancement of education and for the information of the State Board of Education; (5) appoints, subject to the State merit system law and with the approval of the State Board of Education, such personnel as may be necessary; and (6) administers and supervises adult education programs in the public schools.

The Educational Coordinating Council is a 12-member statutory State agency composed of educators, legislators, a student, and the general public. Each member is appointed by and serves at the pleasure of the Governor, although two members, the chancellor of the Oregon Board of Higher Education and the Superintendent of Public Instruction, have served on the council since its statutory formation in 1963. The council by law deals with all education in Oregon, public and private. It is specifically authorized to (1) develop a comprehensive management data system; (2) identify public needs for educational services; (3) develop statewide educational objectives consistent with identified educational needs; (4) approve

programs for appropriate institutions of higher education consistent with statewide educational objectives; (5) evaluate the effectiveness of educational programs to see if statewide objectives are being met; and (6) assure the equitable distribution of special resources through the administration of Federal and State programs.

The law further requires the council to have staff in attendance at legislative committee meetings and at meetings of the Board of Education and Board of Higher Education. Finally, the council is directed to provide staff support to the Governor's new Advisory Council on Career Education.

The functions of the Educational Coordinating Council are divided into four major areas: (1) Collection of management data with which the council, through its management data unit, can develop and operationalize a compatible information system for public and private 2- and 4-year colleges and universities and proprietary schools; (2) comprehensive educational planning including, under a framework of interrelated planning goals, guidelines, and procedures to meet the educational needs of Oregon's citizens, an assessment of needs, program budgeting and monitoring systems, and training programs on educational planning; (3) administration of Federal and State programs to insure that an equitable distribution of resources is made to the various educational segments; and (4) conduct of special studies of significant problems brought to its attention by the Governor, the Legislature, or its own membership.

The council maintains an active liaison with the executive department, the Legislature, the educational community, the Federal Government, the Oregon congressional delegation, and with such other national, regional, or State agencies as it feels may have interests pertinent to education in Oregon.

PENNSYLVANIA

A July 1969 statute created the Department of Education, an administrative arm of State government headed by a Secretary of Education. A cabinet-level division of State government, the department contains some 26 administrative boards and commissions, one of which is the State Board of Education. Educational policies, standards, rules, and regulations promulgated by the State Board of Education are binding upon the Department of Education. The department submits to the State board for approval all rules

and regulations proposed by the department in the areas under the policy and control of the State board. The department furnishes upon request of the State board such data and information as the board may from time to time require, and the department provides administrative services for and on behalf of the board for the implementation of the board's policies, standards, rules, and regulations.

The State Board of Education, created by the General Assembly in 1963, has 17 members, seven of whom serve also as members of the Council of Basic Education, seven as members of the Council of Higher Education, and three of whom are members at large. Each member is appointed by the Governor, with the advice and consent of the Senate, for overlapping terms of 6 years. None of the members of the board serving at large and not more than two members serving on each council are employed either in a school system, in the Department of Education, or by any educational institution. At least two members serving on each council have had previous experience with technical education or training. The Governor designates, to serve at his pleasure, a member as chairman of the entire State board and a member of each council to act as chairman of that council.

Each council meets at the call of its chairman or at the request of a majority of the members. The chairman of the board and the members at large are entitled to attend the meetings of the councils. The chairman of the board may appoint special joint committees from among the members of the board to formulate policy proposals in those areas which fall within the purview of either council. The board employs and fixes the compensation of its staff. It assigns a member of the staff to each of the councils to serve as executive secretary.

The State Board of Education reviews the policies, standards, rules, and regulations formulated by the councils and adopts policies and principles and establishes standards governing the educational program of the Commonwealth. It (1) hears appeals of school districts from decisions of the Council of Basic Education approving county plans of organization of administrative units, or approving or disapproving applications for the creation of new school districts or changes in the boundaries of existing school districts; (2) establishes, when deemed advisable, committees of professional and technical advisers to assist the councils in performing research studies undertaken by them; (3) reviews annually the budget requests of the Department of Education and educational institutions not part of the public school system, prior to their submission to the budget secretary; and (4) makes rules and regulations to carry out duties placed

upon it by law. The board also sits as the State Board for Vocational Education and in this capacity sets policy and gives guidance for the development of vocational and technical education in Pennsylvania. The State Board of Education with its Council of Higher Education also serves as the State higher education supervisory, regulatory, and coordinating agency.

The State Board of Education engages in a constant review and appraisal of education in the Commonwealth. The board's evaluation takes into account such matters as educational objectives, alternative organizational patterns, alternative programs of study, and the operating efficiency of the educational system. The chairman of the State board refers all studies and investigations to one of its councils, and receives and places on the agenda the findings and recommendations of the councils for appropriate action by the board.

The Council of Basic Education is empowered to (1) approve each county plan for the organization of administrative units submitted to the department for approval or prepared by the department; (2) review the annual budget requests for all educational programs other than higher educational programs; (3) investigate programs, conduct research studies, and formulate policy proposals in all educational areas not within the purview of higher education; (4) encourage and promote such agricultural, industrial, vocational, and technical education programs as the needs of the Commonwealth may from time to time require; and (5) investigate and, if deemed appropriate, make recommendations pertaining to the work of any schools of design or industrial arts or industrial schools to which the General Assembly may make an appropriation.

The Council of Higher Education has the power, and its duty is to (1) develop a master plan for higher education in the Commonwealth, including a system of community colleges as provided by law; (2) review the annual budget requests of institutions of higher education; (3) develop standards for the approval of colleges and universities for the granting of certificates and degrees; (4) develop standards for all higher education building projects involving the use of State funds or the funds of any State instrumentality; and (5) investigate programs, conduct research studies, and formulate policy proposals in all areas pertaining to higher education in the Commonwealth, including a system of community colleges and technical institutes as provided by law.

The Secretary of Education is head of the Department of Education and chief executive officer of the State Board of Education. He is a member of the executive department of the Commonwealth and is appointed by and serves at the pleasure of the Governor with the advice and consent of the Senate. The Secretary of Education, or his designated representative, is entitled to attend all meetings of the board and councils, and has the right to speak on all matters before the board and the councils but not to vote.

PUERTO RICO

With the signing of the Treaty of Paris on December 10, 1898, ending the Spanish-American War, the island of Puerto Rico ceased to be a Spanish colony and became an unincorporated territory of the United States. In 1952 it attained its present status as a Commonwealth (Estato Libre Asociado--Free Associated State). While voluntarily remaining associated with the United States as American citizens, the Puerto Ricans are free to govern themselves and manage their own affairs within the framework of the United States Constitution.

The Commonwealth Board of Education has as its essential mission to formulate with the Secretary of Education the educational philosophy of the government of the Commonwealth, to advise the Secretary in the orientation of the educational system, and to observe that the programs of the department comply with educational objectives encouraging eagerness for study, the full development of the pupil's personality, and the equality and human dignity values which inspire the constitutional standards of Puerto Rico. The board is composed of the chairman of the Council on Higher Education and eight members, appointed by the Governor with the advice and consent of the Senate of Puerto Rico. Board members are residents of Puerto Rico who are well known for their interest in cultural, civic, and educational activities. They also adequately represent the different areas of activity of the community, with no more than three members belonging to the same profession. The Secretary of Education attends meetings of the board, with voice but no vote. Board members are appointed for overlapping terms of 6 years.

The Commonwealth Board of Education was created to participate with the Secretary of Education in the discharge of certain essential functions of the Department of Education. The board

considers and approves annually a general 4-year plan for the development of the primary, secondary, vocational, and technical educational system. This general plan serves as a basis for the decisions of the Department of Education on policy, manpower, economic resources, and physical plant, and is adopted by the agencies and officials charged with these responsibilities.

Charged with formulating with the board the educational philosophy of the Government of Puerto Rico, the Commonwealth Secretary of Education is appointed by and serves at the pleasure of the Governor. Additionally, the Secretary serves as executive officer and chairman of the Commonwealth Board for Vocational and Technical Education and as a member of the Higher Education Council.

The Commonwealth Board for Vocational and Technical Education is composed of, in addition to the Secretary of Education, the Secretaries of Agriculture, Commerce, Labor, Health, and Social Services; the Manager of the Economic Development Administration; and four other members who represent industry, commerce, labor, and the home and who are designated by the Governor of Puerto Rico. The appointed members serve overlapping terms of 4 years.

The board has authority to cooperate with the Federal Board for Vocational Education in the administration of the provisions of Federal programs and to do all things necessary to qualify Puerto Rico for Federal funds.

The board makes an annual report to the Governor of Puerto Rico covering the status and progress of vocational education during the year and includes in it an itemized statement showing receipts and expenditures.

The Commonwealth Advisory Council for Vocational and Technical Education consists of 21 members appointed by the Governor for overlapping terms of 3 years. The council is composed generally of persons (1) acquainted with vocational needs in management, industry, and socioeconomic development matters; (2) representing the community, institutions of higher education, vocational schools, technical institutes, agencies and other institutions of adults and of post-secondary teaching which provide education and technical and vocational training programs; (3) acquainted with and experienced in the administration of programs of vocational education; and (4) representing such interests as local educational agencies, human resources, and the general public.

The advisory council (1) advises the Commonwealth Board for Vocational and Technical Education on matters relative to the administration of the Commonwealth Plan, including the preparation of annual and long-range plans; (2) evaluates vocational and technical programs, services, and activities within its purview, and publishes and distributes the results; and (3) prepares and submits reports of the evaluation to the Assistant Secretary for Education of the United States and to other proper parties.

The institutional governing board for the University of Puerto Rico is the Council on Higher Education, which is composed of the Secretary of Education and eight other members who (1) represent as adequately as possible the public interest in higher learning, (2) are appointed by the Governor with the advice and consent of the Senate, and (3) hold office until their successors are appointed and qualify. With the exception of the Secretary of Education, appointments are for overlapping terms of 6 years. The council (1) fosters higher education in Puerto Rico pursuant to standards adopted for the purpose; (2) formulates the directives for the general orientation and development of the university; (3) examines and approves the general operation standards proposed by the latter's legislative and administrative bodies, and (4) supervises the general functioning of the institution.

The University of Puerto Rico has all the attributes, prerogatives, responsibilities, and functions pertaining to a body corporate in charge of higher education, which it exercises through the council. Among its other duties, the council adopts and promulgates rules for the accrediting of private higher education in Puerto Rico, upon hearing of the institutions concerned. The council accredits private institutions of higher education in Puerto Rico, for which it has the benefit of the Advisory Board on Accreditation of Private Higher Education, which passes on each application for accreditation. The advisory board is composed of the Secretary of Education, an educator performing university functions in each duly accredited university level institution existing in Puerto Rico, and an additional number of educators equal to the number of those appointed from each accredited private university.

RHODE ISLAND

Mandated by the Education Act of 1969, a reorganization of the Rhode Island Department of Education established a Board of Regents for Education. The act transferred to the Board of Regents the

functions, powers, and duties of the Board of Education, Department of Education, Commissioner of Education, and Board of Trustees of State Colleges. At all levels of public education, the Board of Regents bears the responsibility of formulating and implementing a master plan for public education in the State, determining fiscal priorities, setting standards, and supervising and evaluating results.

The Board of Regents for Education consists of nine qualified electors of the State who have demonstrated interest in education. They are appointed by the Governor for overlapping terms of 4 years from a list of candidates submitted by a 15-member nominating committee whose members are selected as follows: The Governor appoints five members, three for terms of 2 years and two for terms of 1 year; the Lieutenant Governor and the Speaker of the House each appoint five members from the Senate and the House of Representatives, respectively, three from the majority party and two from the minority party, three for terms of 2 years and two for terms of 1 year.

The Board of Regents for Education is charged by the Education Act of 1969 with responsibility for (1) creation and implementation of a systematic program of information gathering, processing, and analysis; (2) establishment of a master plan defining broad goals and objectives for all levels of education in the State; (3) formulation of broad policy to implement the goals and objectives established by the regents from time to time, exercising general supervision over all public education in the State, and performing duties previously vested in the Board of Education relative to nonpublic educational institutions; (4) coordination of various educational functions among the educational agencies of the State and local districts and promoting cooperation among them; (5) preparation and presentation of the annual educational budget, which includes among other budgets those of the Department of Education, subordinate boards and agencies, the budgets of State colleges and State aid to local school districts; (6) establishment of a Department of Education, provision for its staffing and organization and appointment as its chief executive officer and as chief administrative officer of the department, a Commissioner of Education who serves at its pleasure; and (7) establishment of other educational agencies or boards necessary or desirable for the conduct of any or all aspects of education.

There are presently no operative subsidiary boards or commissions; responsibility for all levels of public education in the State is assumed by the Board of Regents. There is a Council of Presidents consisting of the presidents of the University of Rhode Island, Rhode Island College, and Rhode Island Junior College, which acts as an informal clearinghouse between the Board of Regents and the institutions of higher education in the State.

The Education Act refers to the creation of a Regents Advisory Committee consisting of 100 members appointed by the Governor, one having an interest in the advancement of education from each of the 100 representative districts in the State. The committee meets with the regents at least once annually during the month of September to advise the regents on any problems or proposals dealing with education.

SOUTH CAROLINA

The State Department of Education is not expressly identified in the law even though the term is widely used. The manner in which it is used would indicate that the department (1) provides administrative leadership and supervision for the public schools on the State, county, and district levels; (2) administers the annual appropriation for education in compliance with laws and directives passed by the General Assembly and rules and regulations of the State Board of Education; and (3) administers moneys received from the Federal Government and from other sources in compliance with Federal and State regulations.

The State Board of Education consists of 16 members elected by the legislative delegations of the respective judicial circuits for 4 years, selected for staggered intervals. A policy body designed to regulate, evaluate, upgrade, and control the statewide educational system, the board selects its chairman and vice chairman to serve for such terms as the board may designate. The Superintendent of Education serves as secretary and administrative officer to the board; the board adopts its own rules and procedures. The board has express power to approve budget requests for the institutions, agencies, and services under control of the board as prepared by the State Superintendent; adopt minimum standards for education; and prescribe and enforce rules for teacher certification and examination, courses of study for the public schools, and the use of textbooks and other instructional materials. The board constitutes an advisory body to the Superintendent of Education, reviews on appeal all decisions of county boards of education, and serves as the State Board of Vocational Training. It is not the State board or agency for vocational rehabilitation.

The State Superintendent of Education is a constitutional officer in the executive department of the State government and is elected in the same manner as other State officers at each general election on a partisan ballot for a 4-year term which

runs concurrently with that of the Governor. Under the State Constitution, the supervision of public instruction is vested in the Superintendent of Education; his powers, duties, and compensation are defined by the General Assembly. The Superintendent is charged with the general supervision over and management of all public school funds provided by the State and Federal Governments. He is designated as the board's administrative officer and secretary.

The South Carolina Commission on Higher Education is composed of a total of 14 members, seven of whom are appointed by the Governor for overlapping 4-year terms. The Governor designates the member to serve as chairman. In addition to the seven members appointed by the Governor, the chairman of the board, or a representative from the board appointed by the chairman, of each State-supported institution of higher learning, including the Medical University of South Carolina, is a member of the commission ex officio.

No trustee, officer, or employee of any State-supported institution of higher learning nor any holder of public office, if elective or for which compensation is paid, is eligible for appointment as a member of the commission. Not more than two persons who have attended the same institution of higher learning may serve as members of the commission at the same time, except for members serving ex officio.

The commission is charged with the duty of making studies of the State's institutions of higher learning, relative to both short- and long-range programs which include (1) the role of State-supported higher education in serving the needs of the State and the roles and participation of the individual institutions in the statewide program; (2) enrollment trends, student costs, business management practices, accounting methods, operating results, and needs and capital fund requirements; (3) the administrative design and curriculum offerings of the several institutions and of the various departments, schools, institutes, and services within each institution and the respective relationships to the services and offerings of other institutions; (4) areas of State-level coordination and cooperation with the objective of reducing duplication, increasing effectiveness, achieving economies, and eliminating sources of friction and misunderstandings; and (5) efforts to promote a clearer understanding and greater unity and good will among all institutions of higher learning, both public and private, in the interest of serving the educational needs of the people of South Carolina on a statewide level.

The commission has established a Council of Presidents consisting of the presidents of the State institutions of higher learning. The council in turn establishes committees consisting of qualified personnel representing the various State-supported institutions of higher learning, either upon request of the commission or upon its own initiative, to investigate, study, and report to the commission on such subjects as (1) academic planning, (2) business and financial coordination, and (3) library utilization and coordination.

The commission makes recommendations to the State Budget and Control Board and the General Assembly as to policies, programs, curricula, facilities, administration, and financing of all State-supported institutions of higher learning as are considered desirable.

No new academic program may be begun at a public institution of higher learning without the approval of the commission or of the General Assembly.

SOUTH DAKOTA

The Department of Public Instruction is not expressly defined or identified by statute although the term is in general use. The law provides that the State Board of Education shall appoint and fix the salaries of the professional staff of the Department of Public Instruction below the Deputy Superintendent on the recommendation of the Superintendent of Public Instruction. The State board is responsible for the adoption of all policies for carrying out educational functions which relate to elementary and secondary schools, or which may be vested in the department.

The State Board of Education consists of seven members appointed for overlapping terms of 5 years by the Governor and subject to approval by the Senate as follows: Any vacancies occurring in the membership of the board are filled by the Governor so that each Supreme Court district is represented on the board. No member of the board is a schoolteacher, school principal, member of any State board for higher education, or official of any institution of higher education during his term of service on the board. The board serves as the State Board for Vocational Education.

The Superintendent of Public Instruction is a constitutional officer in the executive department of the State government. He is elected by the people on a nonpartisan ballot for a term of

2 years which runs concurrently with the Governor's. He is the ex officio secretary and executive officer of the State Board of Education without the power to vote. Subject to policies established by the board, the Superintendent has general supervision over all elementary and secondary schools in the State.

The State Board of Regents is the statutory governing agency vested with control of the seven 4-year educational institutions of the State, the School for the Deaf, and the School for the Visually Handicapped, all of which are sustained wholly or in part by the State. The board consists of seven members appointed by the Governor, with the consent of the Senate, for overlapping terms of 6 years. The regents are persons of probity and wisdom, residents of different portions of the State, none of whom reside in the county in which any State educational institution is located; all may not be members of the same political party.

The board (1) employs and dismisses all officers, instructors, and employees of the institutions, determines their number, qualifications, duties, term of employment, rate and manner of compensation, leave, and retirement; (2) makes contracts for service, the erection of buildings, the purchase of all lands, materials, and supplies needed, except such supplies as are under the supervision of the Department of Purchasing and Printing; and (3) enters into agreements or contracts with other States, individually or on a regional basis, to provide means by which students residing in South Dakota may be assisted to carry on or complete fields of study which are not offered by institutions under the control of the board.

The Board of Regents appoints the Commissioner of Higher Education, who is a full-time employee of the board.

TENNESSEE

The Department of Education is an administrative unit of the State government.

The Commissioner of Education is the administrative head and chief executive officer of the State Department of Education. He is appointed by and serves at the pleasure of the Governor, and is a member of the Governor's cabinet. He is an ex officio member and chairman of the State Board of Education with the power to vote. He is executive officer of the State Board of Vocational Education.

He is empowered to appoint, subject to the Governor's approval, all heads and subordinates in the department, except for the Divisions of Vocational Education and Vocational Rehabilitation, which are the responsibility of the Board of Vocational Education.

The State Board of Education consists of the Governor, the Commissioner of Education as chairman, and 12 members, four from each of the three grand divisions into which the State is divided for some purposes, residents of the State, appointed by the Governor. Each of the two leading political parties is represented on the board by at least three members, each for a term of 9 years. The executive director of the Tennessee Higher Education Commission is an ex officio nonvoting member of the State Board of Education. The board is ex officio the Board of Vocational Education and is associated with the Department of Education for purposes of administration. As the Board of Vocational Education, the State Board of Education is charged with the administration of the laws governing the Divisions of Vocational Education and Vocational Rehabilitation in the department, and employs the professional staff members of these two divisions. The board maintains and controls a number of State education institutions.

While the regional State universities, community colleges, special schools, and technical institutes are governed by the State Board of Education, the University of Tennessee Board of Trustees is a statutory institutional board responsible for governance of the University of Tennessee System, which includes five campuses. The university is a legal entity, a body politic and corporate as one of the State's Federal land-grant institutions governed by its own Board of Trustees. The Governor, the Commissioners of Agriculture and Education, and the president of the university are ex officio members of the Board of Trustees; the executive director of the Tennessee Higher Education Commission is an ex officio nonvoting member of the Board of Trustees. In addition to the five ex officio members, the Board consists of 16 members appointed by the Governor for terms of 9 years.

Created in order to achieve coordination and unity in the program of public higher education in the State, the Tennessee Higher Education Commission is charged with studying, on a continuing basis, the use of public funds for higher education in Tennessee and analyzing programs and needs in the field of education. Additionally, the commission undertakes such specific duties as may be directed by resolution of the General Assembly or as may be requested by the Governor. The commission consists of nine members appointed by the Governor, three of whom reside in each grand division of the State,

for overlapping terms of 9 years. At least one-third of the appointive members represent the principal minority party in the State. The commission is empowered to employ (1) an executive director and (2) with approval of the Commissioner of Personnel, such other professional and staff employees as may be appropriate for the efficient discharge of its duties. The commission elects from its membership a chairman and secretary.

Primary duties of the commission in addition to those already mentioned pertain to (1) development of a master plan for the future development of public higher education in Tennessee; (2) development of policies and formulas or guidelines for fair and equitable distribution and use of public funds among the State's institutions of higher learning; (3) study of the need for and relevance of particular programs, departments, academic divisions, branch operations, extension services, adult education activities, public service activities, and work programs of the various institutions of higher learning; (4) review and approval of all service activities and work programs of the various institutions of higher learning; (5) review and approval of all proposals for new degrees or degree programs, or for the establishment of new academic departments or divisions within the various institutions of higher learning; (6) provision of a program of public information concerning higher education in the State; (7) study of the establishment of new institutions of higher learning and related variables involved therein; and (8) submission of a biennial report to the Governor and the General Assembly concerning major developments, trends, new policies, budgets, and financial considerations.

TEXAS

The Central Education Agency consists of the State Board of Education, the State Board for Vocational Education, the State Commissioner of Education, and the State Department of Education. It carries out educational functions which are assigned to it by the Legislature, but all educational functions not specifically delegated to the agency are performed by county boards of education or district boards of trustees. The Central Education Agency exercises general control of the system of public education at the State level in accordance with the provisions of the Texas Education Code.

The Department of Education comprises the professional, technical, and clerical staff of the Central Education Agency. The department is organized into divisions and subdivisions established by the Commissioner of Education subject to the approval of the State Board of Education.

The State Board of Education is the policy-forming and planning body for the public school system of the State. It is also the State Board for Vocational Education and as such has all the powers and duties conferred on it by the various statutes relating to the State Board for Vocational Education. As one part of the Central Education Agency, the State Board of Education has specific responsibility for adopting policies, enacting regulations, and establishing general rules for carrying out the duties placed on it or the Central Education Agency by the Legislature. The board reviews periodically the educational needs of the State, adopts or promotes plans for meeting these needs, and evaluates the achievements of the educational programs.

The State Board of Education is composed of one member elected from each congressional district established by law. The 24 members of the board are elected at biennial general elections held in compliance with the general election laws of the State. At each general election in 1972, and at each general election thereafter immediately following a decennial reapportionment of congressional districts, one member is to be elected to the board from each congressional district. Except as otherwise provided by law, members of the board serve staggered terms of 6 years with the terms of one-third of the members expiring at the end of each odd-numbered year.

As determined by lot, one-third of the board members elected in 1972 and at each general election following a decennial reapportionment of congressional districts will serve for terms of 2 years, one-third for 4 years, and one-third for 6 years. If the total number of members divided by three results in a remainder of one, one additional 6-year term will be filled by lot. If the total number of members divided by three results in a remainder of two, one additional 6-year term and one additional 4-year term will be filled by lot.

The Commissioner of Education serves as executive officer of the Central Education Agency and as executive secretary of the State Board of Education and of the State Board for Vocational Education. With the consent of the Texas Senate and in conformity with the requirements of the Texas Education Code, the Commissioner is appointed by the State Board of Education to serve for a period

of 4 years. The Commissioner is responsible for promoting efficiency and improvement in the public school system of the State and has the powers necessary to carry out the duties and responsibilities placed upon him by the Legislature and by the State Board of Education.

The Coordinating Board, Texas College and University System, consists of 18 members appointed by the Governor with the advice and consent of the Senate for overlapping terms of 6 years. Appointments are made to provide representation from all areas of the State. The Commissioner of Higher Education is the chief executive officer of the staff, is appointed by the board, and serves at its pleasure. The staff is divided into four divisions--administration and financial planning, program development, student services, and campus planning and physical facilities development.

Created in 1965 as the successor agency to the Texas Commission on Higher Education, the coordinating board represents the highest authority in the State in matters of public higher education. Its functions and other delegated duties apply to public junior colleges, public senior colleges and universities, medical and dental schools, and other agencies of higher education. The board is also mandated by statute to cooperate with the private sector of higher education, to take into account the degree and certificate programs in these institutions in authorizing new programs for the public colleges and universities, and to participate in programs with them within constitutional and statutory limitations.

Among the chief areas of board responsibility are (1) long-range planning for the orderly development of the Texas system of higher education; (2) program development and allocation; (3) financial planning to insure the most effective, efficient, and economical use of State resources available for higher education; (4) planning and development to insure efficient use of construction funds and orderly development of physical plants; (5) administration of State student aid programs; and (6) collection, analysis, and dissemination of data.

TRUST TERRITORY OF THE PACIFIC ISLANDS

The basic document governing the status of the Trust Territory of the Pacific Islands is the Trusteeship Agreement between the United States and the United Nations Security Council which came into force July 18, 1947, and under which the United States administers the territory. Executive Order No. 11021, signed by the President

May 7, 1962, made the Secretary of the Interior responsible for the civil administration of the Trust Territory. The Department of the Interior Order No. 2876, signed by the Secretary of the Interior in January 1964, described the nature and extent of the responsibilities of the High Commissioner, who exercises the executive and administrative authority of the territorial government. The executive branch of the government working under his direction consists of a headquarters staff and district administration in each of the six administrative districts established by the Trust Territory Code.

The Department of Education of the Trust Territory is headed by a Director of Education. Under policies established by the High Commissioner in consultation with the board, the Director administers programs of education and public instruction throughout Micronesia, including education at the kindergarten, primary, middle, and secondary school levels, basic health education and instruction, teacher training programs, vocational schools and training programs, adult education, community education programs, and other programs which may be established. Additionally, the Director makes provision for curriculum development, budget preparation, personnel selection, teacher training, community and vocational development, and training of Micronesians to assume increasingly important professional and administrative positions in the Trust Territory government and its subdivisions.

The Micronesia Board of Education consists of seven members, six of whom are appointed from each administrative district of the Trust Territory by the High Commissioner with the advice and consent of the Congress of Micronesia. The seventh member and executive officer of the board is the Director of Education who has no vote except in the event of a tie. Except for the Director, board members serve overlapping terms of 3 years.

The board has power in accordance with law to formulate policy and to exercise control over the educational system in the Trust Territory. The powers and responsibilities of the board include, but are not limited to, defining educational objectives for Micronesia, advising the High Commissioner on the formulation of policies for the educational system in Micronesia, evaluating past and current educational expenditures and recommending education budgets to the High Commissioner for inclusion in the territorial budget submitted to the Congress of Micronesia and the Congress of the United States, assisting the High Commissioner in recruiting and hiring the Director of the Department of Education, establishing a basic financial support plan for each district by taking into account the district need, numbers of students and the educational program in

progress, advising the Director of the requirements for certification of all territorial education personnel, adopting territory-wide curriculum standards and guides, and performing any other duties and functions which may be assigned to it by the High Commissioner or by law.

In 1970 the Micronesian Teacher Education Center in Ponape was designated by the High Commissioner as the Community College of Micronesia and was commissioned to offer an Associate of Science degree in elementary education. In 1971 the Community College of Micronesia received correspondence status from the Accrediting Commission for Junior Colleges of the Western Association of Schools and Colleges. The Community College of Micronesia offers a 2-year program in elementary education and accredits several extension courses throughout the territory.

The Micronesian Occupational Center in Palau offers a 2-year program in a wide field of vocational/trade skills to students from all districts of the territory. About 20 percent of the student body is in a secondary program; the rest of the students are in postsecondary and adult programs.

The School of Nursing in Saipan and the Farm Institute are not under the supervision of the Department of Education.

An extensive program of higher education is provided outside the territory through the government's scholarship program and partial subsidy, including transportation grants to private scholarship holders or sponsored students.

UTAH

The Office of the State Board of Education is analogous to the department of education in many other States. The State Superintendent of Public Instruction is the executive officer of the board, which is vested with the general control and supervision of the public school system.

The State Board of Education consists of 11 members elected on a nonpartisan ballot by qualified electors according to election districts, or appointed to fill unexpired terms by regional conventions of members of district school boards. There are seven numbered election districts. Members are elected to 4-year overlapping terms.

General control and supervision of the public school system is vested in the State Board of Education, which adopts rules and regulations to eliminate and prevent unnecessary duplication of work or instruction in any branch or division of the public school system. The board is charged with the administration of the system of public instruction, and with general superintendence of the district schools of the State and of the school revenue set apart and appropriated for their support.

The Superintendent of Public Instruction is appointed by and serves at the pleasure of the State Board of Education. As the executive officer of the board, the Superintendent has full power to investigate all matters pertaining to the public schools and performs such other duties as the State Board of Education may require.

The Board of Higher Education is the statutory governing board for Utah's system of public higher education and the successor to boards of regents and trustees established prior to 1896. The board is vested with the control, management, and supervision of the following institutions of higher education in a manner consistent with the policy and purpose of the law and the specific powers and responsibilities granted to it: The University of Utah, the Utah State University of Agriculture and Applied Science, Weber State College, Southern Utah State College, the College of Eastern Utah, Snow College, and Dixie College. The Utah Technical Colleges at Salt Lake City and Provo are members of the system of higher education but are governed by the Utah State Board of Education in its capacity of State Board for Vocational Education.

The board consists of 15 resident citizens of the State, appointed by the Governor with the consent of the Senate. Not more than eight members are at any time from one political party. Persons are selected from the State at large with due consideration for geographical representation. Appointments to vacancies on the board occurring as the result of the expiration of the term of office of board members are made for 6-year terms regardless of the length of the expiring terms of office.

The board selects and appoints a commissioner of higher education to serve as its chief executive officer, sets his salary, and prescribes his duties and functions; he serves at the pleasure of the board.

The board is charged with establishing, maintaining, and implementing an up-to-date master plan which includes but is not limited to: (1) Statewide planning of public higher education in terms of aims, purposes, and objectives of the system as a whole; (2) establishing and defining the role and programs of each institution within the system; (3) establishing criteria for and determination of the future needs and requirements for new programs and new institutions and/or the elimination, curtailment, or consolidation of existing programs and facilities; (4) providing for the initiation and financing of such projects as are deemed necessary to meet and satisfy the projected patterns of growth and maintenance; (5) establishing criteria for and determination of the operating and capital budgetary needs of each institution and the system as a whole; (6) recommending the methods and sources of future financial support of the higher education system; (7) establishing procedures for the development of maximum utilization of existing facilities as suggested by space utilization studies conducted by the State Building Board; and (8) securing an adequate and coordinated program for the junior colleges and the vocational, technical, and paraprofessional institutions and departments in the State system of higher education. The State Board for Vocational Education provides vocational education staff assistance to the State Board of Higher Education in support of master planning activities required in the law as they relate to vocational-technical education.

Each of the institutions which are members of the State system of higher education has an institutional council with certain statutory responsibilities for fund-raising and community relations. The State board also has delegated certain of its powers over student relations, faculty appointments, and other matters of local concern to the presidents and the councils. The State Board for Vocational Education is by law the governing board for the two technical colleges.

VERMONT

The Department of Education is a unit of the State government which is administered by the State Board of Education and which is headed by the Commissioner of Education. The department is empowered to supervise and direct the execution of all laws relating to education.

The State Board of Education consists of seven persons, at least two of whom are women and all of whom are appointed by the Governor with the advice and consent of the Senate for overlapping terms of

6 years. The board has supervision over and management of the Department of Education and the public school system, and it sees, acting through the Commissioner, that the laws for the effective operation of schools are enforced. It is also the State Board for Vocational Education.

The Commissioner of Education is selected by the State Board of Education, subject to the approval of the Governor, having had training and experience in educational work. He is appointed for an indefinite term and is subject to removal upon the majority vote of the entire board. He is the chief executive officer and secretary of the board, and executes those policies adopted by the board in the legal exercise of its powers.

Vermont does not have a legally established statewide agency for higher education.

VIRGINIA

The terms "Office of the Superintendent of Public Instruction" and "Department of Education" are used a few times in the law, but are not expressly defined. When used they generally refer to the Superintendent and his staff.

The general supervision of the public school system is vested in the State Board of Education of nine members, appointed by the Governor subject to confirmation by the General Assembly. Appointments are for 4-year overlapping terms, except that those to fill vacancies are for the unexpired terms. Since the terms are staggered, no more than three regular appointments are made in the same year. The board's rules and regulations when published and distributed have the force and effect of law until revised, amended, or repealed by the General Assembly, or until they are revised, amended, or rescinded by the State board. The board is authorized to do all things necessary to stimulate and encourage local supervisory activities and interest in the improvement of the elementary and secondary schools; it may provide for the accreditation of elementary and secondary schools in accordance with standards it prescribes. The board is delegated to act as the State Board of Vocational Education, but responsibility for matters relating to the Division of Vocational Rehabilitation and the Woodrow Wilson Rehabilitation Center resides in the Virginia Board of Vocational Rehabilitation.

The State Superintendent of Public Instruction, who is an experienced educator, is appointed by the Governor, subject to confirmation by the General Assembly, for a term coincident with that of the Governor making the appointment, but the General Assembly may alter by statute this method of selection and term of office. The Superintendent prepares and furnishes such blanks for teachers, attendance officers, and other school officials as are required by law. The board prescribes the duties of the Superintendent of Public Instruction, in addition to those duties otherwise prescribed for him by law, and in its discretion, subject to the provisions of the law, approves the appointment by the Superintendent of such employees as are necessary, and fixes their salaries. The membership, ex officio, of the Superintendent of Public Instruction on the governing bodies of the educational institutions receiving appropriations from the State ceased in 1966. The Superintendent's membership on the State Council of Higher Education was not affected, however. The Superintendent serves as secretary to the State Board of Education.

The State Board of Vocational Rehabilitation is composed of seven members appointed by the Governor for overlapping terms of 4 years. The board elects one of its members chairman and elects a secretary who may, but need not, be a member of the board. The board appoints a director who serves as its chief executive officer and discharges such functions as are conferred upon him by the board or imposed upon him by law. The Board of Vocational Rehabilitation is authorized by statute to establish out of available funds a Department of Vocational Rehabilitation for the State, its purpose being to study the problems of vocational rehabilitation, and to organize, supervise, and otherwise provide the necessary services and facilities required to prepare persons disabled in industry or otherwise for useful and productive lives including suitable employment. The board is designated as the State board to cooperate with the Federal Government in carrying out the provisions and purposes of the Federal act providing for the vocational rehabilitation of persons disabled in industry or otherwise.

The purpose of the Virginia State Council of Higher Education is to promote the development and operation of a sound, vigorous, progressive, and coordinated system of higher education in the State. The statutory council is composed of able persons selected from the State at large without regard to political affiliation but with due consideration to geographical representation. No officer, employee, trustee, or member of the governing board of any institution of higher education, or employee of the Commonwealth or member

of the General Assembly or of the State Board of Education is eligible for appointment to the council. All members of the council are deemed members at large charged with the responsibility of serving the best interests of the whole State. No member is to act as the representative of any particular region or of any particular institution of higher education.

The council consists of 11 members appointed by the Governor subject to confirmation by the General Assembly at its next regular session. Successors to the first members of the council appointed by the Governor are appointed for overlapping terms of 4 years. The Superintendent of Public Instruction may be appointed as a member of the council. The council constitutes a coordinating council for the present State-supported institutions of higher education, their branches or divisions, and any other State-supported institutions of higher education which may be established in the future.

The council is charged with assembling data and, with the aid of the boards and officers of the several institutions, preparing plans under which the several State-supported institutions of higher education constitute a coordinating system. With the Governor's approval, the council has the power to limit any institutional curriculum offerings so that they conform to the plans adopted by the council. The council visits and studies the operations of each institution at appropriate times.

The council studies questions requiring statewide policies in higher education and makes recommendations with respect to such questions (1) to the institutions of higher education, (2) to the Governor, or (3) to the General Assembly, whichever is appropriate. The council seeks the views and advice of the governing boards and officers of each institution in arriving at these policies. It cooperates with the State Board of Education in matters of interest to both the public school and the State-supported institutions of higher education, particularly in connection with coordination of the college admission requirements and teacher-training programs with the public school program.

Other areas in which the council is involved include (1) preparation of an estimate of needs for each year of the ensuing biennium based on institutional budget requests for maintenance, operation, and capital outlay; (2) coordination of off-campus extension and public-service offerings of all State-controlled institutions of higher education, including all credit and noncredit academic courses

and programs; and (3) serving as the planning and coordinating agency for all postsecondary educational programs for all health professions and occupations.

To assist the council in (1) providing continuous in-depth study of educational needs of nursing and allied health professions and occupations, (2) developing proposals for meeting changing needs, and (3) offering such recommendations to the council as are considered appropriate, the Governor appoints the Committee on Education for the Health Professions and Occupations, which is advisory and responsible to the council.

VIRGIN ISLANDS

The formal transfer of the Virgin Islands from Denmark to the United States occurred March 31, 1917. The Navy Department was given initial responsibility for administering the Virgin Islands, and the Military Governor appointed the Director of Education. The Navy Department turned over the territory's administration to the Department of the Interior in March 1931, and the first civilian Governor was appointed at that time.

The Department of Education is an executive department in the Government of the Virgin Islands; it has authority and jurisdiction to exercise general control over the enforcement of the laws relating to education and cooperates with the Virgin Islands Board for Vocational Education in the administration and promotion by that board.

Established as an independent agency within the Department of Education for administrative purposes only, the Board of Education consists of nine members elected by the electors 12/ in the Virgin Islands on an at-large basis at the general election in even-numbered years, but four members are residents of St. Croix, four of St. Thomas, and one of St. John. The term of office of each member is 2 years. The board elects a chairman and vice chairman from among its members. Members of the board must meet the same eligibility qualifications as members of the Legislature of the Virgin

12/ Effective for the elections of 1968 and following, there have been two election districts in the Virgin Islands--one the election district of St. Croix, the other the election district of St. Thomas-St. John. Each election district is comprised in the same manner as the corresponding legislative districts.

Islands. In addition, no person is eligible to be a member of the board unless he has been a resident of the island for which he is a candidate for at least 3 consecutive years next preceding the date of his election.

At the head of the department is the Commissioner of Education, who is appointed by the Governor, with the advice and consent of the Legislature, and holds office during the continuance in office of the Governor by whom he is appointed and until his successor is appointed and qualified, unless sooner removed by the Governor. The Commissioner must be a citizen of the United States, a graduate of an accredited college or higher education institution of learning of recognized standards, possess at least a master's degree, and have had at the time of his appointment at least 4 years of experience in the field of education; except that when the nominee is otherwise qualified, the requirement that the Commissioner possess a master's degree may be waived by the Governor and the Legislature when, in their judgment, the nominee demonstrates that he possesses such experience and ability in the field of education that his appointment would best serve the interests of the educational system of the Virgin Islands. The Commissioner serves as an ex officio member of the Board of Education.

The Virgin Islands Board for Vocational and Technical Education consists of eight members appointed by the Governor with the consent of the Legislature. Four of the board members are citizens of St. Thomas, one of St. John, and three of St. Croix. One of these is a person familiar with the vocational education needs of labor in the Virgin Islands, one is representative of the College of the Virgin Islands, and one is familiar with the vocational education needs of management in the Virgin Islands. The Commissioner of Education serves as secretary of the Board for Vocational and Technical Education and a member ex officio. Board members serve for a period of 2 years, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed is appointed only for the remainder of the term. The board elects annually one of its members to serve as its chairman. The board is the sole agency for the administration, in the Virgin Islands, of the vocational rehabilitation program provided for by law, and by the Federal Vocational Rehabilitation Act.

The 15-member Board of Trustees, College of the Virgin Islands, is the institutional governing agency for, and exercises general management and control of, the college. Ex officio members of the board include the chairman of the Board of Education of the Virgin Islands, the Commissioner of Education, and the president of the College of the Virgin Islands. The Governor appoints, with the advice and consent of the Legislature, 10 other members of the

board, at least seven of whom are residents of the Virgin Islands, for terms of 5 years. The board elects two additional members to the board, at least one of whom is a resident of the Virgin Islands, for terms of 5 years. The President of the College of the Virgin Islands serves as the board's chief executive officer.

WASHINGTON

The term "State Department of Education" is not used in the laws of Washington. There is fully operational a single State education office under the direction of the Superintendent of Public Instruction who is responsible for administration of the total State education program, including carrying out the policies of the State Board of Education in those areas in which the board has statutory power.

The State Board of Education consists of 14 members, two from each of the seven congressional districts of the State, elected by the members of boards of directors of school districts within their respective congressional districts. The law provides for 6-year terms which are so staggered that the terms of not more than three nor fewer than two members expire annually. No person employed in any school, college, university, or other educational institution or any county school superintendent's office or in the office of the Superintendent of Public Instruction is eligible for membership on the board. The major areas within which the State Board of Education exercises authority vested in it by law are (1) education and certification of teachers and school administrators; (2) curriculum requirements and courses of study; (3) management and operation of the public schools, including construction of school plant facilities, school district organization, and establishment of secondary programs; and (4) vocational-technical schools and adult education.

The Superintendent of Public Instruction is elected by the qualified voters of the State on a nonpartisan ballot for a 4-year term. The Superintendent is ex officio president of the board and serves as its executive and administrative officer. The Superintendent has the constitutional responsibility for supervision over all matters pertaining to the public schools, and specific statutory duties. The board policy provides that as executive and administrative officer, the Superintendent insofar as is possible under existing laws, and subject to the approval of the board, provides for the

unification of all fiscal matters under the jurisdiction of the board with fiscal matters under the jurisdiction of the president in his capacity as Superintendent, to the end that duplication is minimized, that there is a single fiscal officer, and there is a single system of controlling and accounting for the expenditures of funds under the control of the board with funds under the control of the Superintendent; and is the official spokesman for the board in all matters pertaining to or concerning the board, its programs, or responsibilities, which include but are not limited to presenting the policies and programs of the board to the public, educational organizations, and the State Legislature and in all areas of public relations and publicity.

Since 1967 the Coordinating Council for Occupational Education has served as the statutory board for vocational education in the State. The council consists of nine appointive members and two ex officio members. The Governor appoints three members, and the State Board of Education and the State Board for Community College Education appoint three persons from their respective memberships to serve on the council. The Superintendent of Public Instruction and the director of the State Board for Community College Education serve as ex officio members of the council. The Director for Vocational Education is an employee of the council and also serves as its executive officer. Appointive members serve indefinite terms.

There is a student representative who sits with the Coordinating Council for Occupational Education in a nonvoting capacity. This representative is selected on a rotating basis by vote of the statewide student youth organizations.

The Council on Higher Education is the statutory coordinating agency created by the 1969 State Legislature to facilitate and coordinate planning for Washington public and private higher education. Council responsibilities and functions are organized into three major categories: (1) Short-range analyses, (2) long-range comprehensive planning, and (3) program administration. As part of its coordinating activities, the council is responsible for (1) determining the educational needs of the State; (2) establishing priorities specifying the resources necessary to meet needs; (3) defining institutional roles; and (4) conducting budgetary reviews to determine conformity with comprehensive plans, where review responsibilities include university and college fee levels, admissions and transfer policies, and new and existing degree programs.

The council consists of 24 members. Nine citizen members are appointed by the Governor and confirmed by the Senate as representatives of the public at large; two members of the House of representatives, one from each party, appointed by the Speaker of the House; two members of the Senate, one from each party, appointed by the President of the Senate; two members of the Governor's staff appointed by the Governor; 10 educational members who are the presidents of each of the public universities and 4-year colleges of the State; the executive director of the State Board for Community College Education; two presidents of the State's private universities or 4-year colleges, and one community college president appointed by the Governor.

It is the duty of the director of the State Board for Community College Education to represent not only the State Board for Community College Education, but also the community colleges in the State and their respective governing boards; he also acts as a liaison between the council and the State Board for Community College Education and the boards of trustees of the community college districts in the State. The nine citizen members of the council constitute the commission, while the 10 educational members serve as advisory members and participate in the deliberation of the commission concerning the Title I Higher Education Facilities Act of 1963 and the Title VI Higher Education Act of 1965 programs.

Citizen members of the council serve overlapping terms of 6 years. The four legislators appointed by the President of the Senate and the Speaker of the House serve for a 2-year term, unless they cease to be members of the legislative branch from which they were appointed. The members of the council appointed by the Governor from his staff serve at the pleasure of the Governor. The terms of the executive director of the State Board for Community College Education as well as of the presidents of the public universities and colleges of the State are coextensive with their tenure in those respective offices. Each president-representative appointed by the Governor serves for a 2-year term, or until such earlier date as he ceases to be the president of the institution from which he was appointed.

The officers of the council are the chairman, vice chairman, and executive coordinator, who functions as the secretary of the council.

WEST VIRGINIA

For carrying into effect the provisions of the school laws of West Virginia, the State Superintendent of Schools is charged with maintaining a Department of Education.

The State Board of Education, known as the West Virginia Board of Education, consists of 11 members, nine of whom are citizens of the State appointed by the Governor, by and with the advice and consent of the Senate, for overlapping terms of 9 years. The State Superintendent of Schools and the chancellor of the Board of Regents serve as ex officio members of the Board of Education. At least two but not more than three members are appointed from each congressional district. No more than five of the nine appointive members belong to the same political party, and no person is eligible for appointment to membership on the State board who is a member of any political party executive committee or holds any other public office or public employment under the Federal or State Governments. Subject to and in conformity with the Constitution and laws of the State, the Board of Education determines the educational policies of the State.

The board is empowered to make rules for carrying into effect the laws and policies of the State relating to education. The Board of Education serves as the State Board of Vocational Education. The State Superintendent of Schools is the chief executive officer of the Bureau of Vocational, Technical, and Adult Education; the Board of Education appoints a director who administers the Division of Vocational Rehabilitation independently of the State Superintendent of Schools. All powers, duties, and authorities which the Board of Education had with respect to State colleges and universities prior to July 1, 1969, were transferred to the West Virginia Board of Regents, but the standards for education of teachers and teacher preparation programs at the State colleges and universities continue to be under the general direction and control of the Board of Education, and the Board of Education has sole authority to continue to enter into agreements with county boards of education for the use of the public schools to give prospective teachers teaching experience.

The State Superintendent of Schools is appointed by the State Board of Education and serves at its will and pleasure. The Superintendent has general supervision of the free schools of the State and is chief executive officer and ex officio member of the Board

of education. The Superintendent is charged with the general supervision of all county and city superintendents of free schools and of county and district boards of education within the State.

The West Virginia Board of Regents consists of 10 members, one of whom is the State Superintendent of Schools, ex officio, not entitled to vote. The other nine members are State citizens appointed by the Governor, with the advice and consent of the Senate, for overlapping terms of 6 years. Of the nine voting members appointed by the Governor from the public at large, not more than five may belong to the same political party, and at least one member is appointed from each congressional district. A statutory State agency, the board has the general determination, control, supervision, and management of the financial, business, and educational policies and affairs of all State colleges and universities. The board's responsibilities include, without limitation, the making of studies and recommendations relating to all aspects of higher education in West Virginia; prescribing and allocating among the State colleges and universities specific functions and responsibilities to meet higher educational needs of the State and avoid unnecessary duplication; and considering, revising, and submitting to the appropriate agencies of the executive and legislative branches of State government separate budget requests on behalf of the State colleges and universities or, in the discretion of the board, submitting a single budget for the State colleges and universities and allocating among them appropriations made.

WISCONSIN

The Superintendent of Public Instruction is a constitutional administrative officer elected on a nonpartisan ballot by the qualified electors of the State for a 4-year term. The supervision of public instruction is vested in the State Superintendent and such other officers as the Legislature directs; their qualifications, powers, duties, and compensation are prescribed by law. There is no State Board of Education for public elementary and secondary education in Wisconsin, but there is created a Department of Public Instruction under the direction and supervision of the State Superintendent.

The State Board of Vocational, Technical, and Adult Education consists of 11 members--the Superintendent of Public Instruction or his representative, a member of the Industrial Commission selected

by the commission, or his representative, and nine persons appointed by the Governor for overlapping 6-year terms. Of the members appointed by the Governor, three are employers of labor, three are skilled employees who do not have employing or discharging power, and three are persons whose principal occupation is farming and who are actually engaged in the operation of farms. The board has control over all State aid given to schools of vocational, technical, and adult education. It is empowered to appoint a director of vocational, technical, and adult education and assistants, and to determine the organization, plans, scope, and development in those areas.

In October 1971 a bill effecting the merger of the University of Wisconsin and Wisconsin State Universities was signed into law. The same bill provided for abolishing the Coordinating Council for Higher Education and establishing the University of Wisconsin System. The system is governed by a Board of Regents, a 16-member body composed of 14 citizen members appointed for staggered 7-year terms and, ex officio, the Superintendent of Public Instruction and the president of the State Board of Vocational, Technical, and Adult Education. Initially, 21 persons serve on the board--eight regents from each of the former university boards, three citizens appointed by the Governor, and the two ex officio members--but with the expiration of terms (within 3 years), the board will be reduced to its statutory size of 16 members.

The new Board of Regents assumes all powers, duties, and functions of the previous regent boards and, except where specified otherwise, of the Coordinating Council for Higher Education. All faculty and other employees were transferred with their former rights and benefits, including the retention of tenure. The board appoints the executive head of the new system, and the chief executives of the 13 university campuses, the 2-year-center system, and the extension system. It may remove any officer or faculty member when the interests of the system require it. It may establish centers and branch campuses but only the Legislature can terminate an existing campus or center. The institutional missions set by the former coordinating council remain in effect until changed by the new board.

The central administrative staffs of the two former university systems are retained separately during the 1971-73 biennium while an interim study is made to resolve the sensitive problems of the merger such as faculty governance, transfer of credits, comparability of program funding and teaching loads, uniform space standards, admissions and tuition policies, and a host of other issues.

The 17-member committee which will make an interim study of the merger consists of three citizen members appointed by the Governor, six regents, four legislators, two faculty members, and two students. The executive head of the university system is to serve as secretary to the committee and provide staff services for its business. Committee recommendations are to be reported to the Legislature by January 21, 1973.

The new law effecting the merger causes all institutions under the Board of Regents to be renamed. Each 4-year campus is named "University of Wisconsin (location or name)." Each 2-year campus is designated as "University Center (location)." Provision is made in the new law to reconstitute the Education Communications Board, formerly a division of the Coordinating Council, which exercises coordinative functions over State-funded educational television and radio. This 16-member body includes four legislators.

WYOMING

The State Department of Education consists of the State Superintendent of Public Instruction, the State Board of Education, and staffs. The general supervision of the public schools is entrusted to the State Superintendent, who is the administrative head and chief executive officer of the department.

The State Board of Education is composed of nine members, at least one from each judicial district; membership in each district rotates among its counties in alphabetical order. One member is appointed at large and is a certified classroom teacher at the time of appointment; one other member is also appointed at large and is a certified school administrator at the time of appointment. The other seven members of the board are appointed from among lay citizens who are electors of the State, known for their public spirit, business or professional ability, and interest in education. Not more than five members are from one political party. All members are appointed by the Governor with the approval of the Senate for overlapping terms of 6 years. The State Superintendent is a nonvoting, ex officio member of the board.

The board (1) prescribes minimum standards with which public schools and other educational institutions receiving money from any State fund, except the University of Wyoming and the community colleges, must comply; (2) with or without the assistance of the

State Superintendent, enforces the rules and regulations adopted by law by taking appropriate administrative action in compliance with law, including such orders as are necessary to withhold State funds from any school, school district, or institution failing to comply with any applicable law or with the minimum standards prescribed by the State board; (3) prescribes rules and regulations for administering the laws governing the certification of school administrators, teachers, and other personnel to require either examination in specified subjects or the completion of courses in approved institutions, or both; (4) prepares and maintains a list of approved institutions whose graduates may receive certificates and provides for the issuance of Wyoming certificates based upon certificates granted in other States; (5) maintains placement lists of all teachers employed in the State and such other teachers within or without the State as desire to register with the Department of Education; and (6) conducts investigations within or without the State regarding educational needs and means of improving conditions to insure an adequate educational system for the State of Wyoming.

The Superintendent of Public Instruction is a constitutional officer elected on a partisan ballot for a 4-year term. General supervision of the public schools is entrusted to the Superintendent, who is the administrative head and chief executive officer of the Department of Education. The Superintendent is a nonvoting, ex officio member of the State Board of Education. Charged with assisting the State board in the performance of its duties and responsibilities, the Superintendent makes such rules and regulations, consistent with the Wyoming Education Code, as may be necessary. Additionally, the Superintendent consults with and advises the State board, local school boards, local school administrators, teachers, and interested citizens, and seeks in every way to develop public support for a complete and uniform system of education for the citizens of the State; and except as otherwise provided by law, decides controversies arising from or concerned with the administration of the State school system, involving rules, regulations, orders, or directives promulgated by the State Superintendent, the State department, or the State board; in all such cases, his decision is and constitutes the final administrative determination. He confers with the Board of Trustees and the College of Education of the University of Wyoming concerning the courses of study in the College of Education and the University of Wyoming.

The Wyoming Higher Education Council is the statutory coordinating agency for higher education in the State. The council consists of the president of the University of Wyoming, the State Superintendent of Public Instruction, and five other members appointed by the

Governor. The five appointed members are selected as follows: One from the Community College Commission representing its member colleges, one from the Board of Trustees of the University of Wyoming, and three, at large, from among the residents of the State. The initial term of two of the members appointed by the Governor is for 3 years, the other appointed members receiving 5-year terms. Thereafter, all appointed members serve terms of 5 years.

The council is authorized to employ an executive secretary and such professional and staff personnel as may be necessary to perform the duties of the council. The executive secretary is an ex officio member of the council without the right to vote.

The council (1) establishes and maintains records and data as to higher education facilities and programs in the State; (2) continuously analyzes all areas of higher education with the objective of coordinating and increasing the effectiveness of higher education supported by the State; (3) develops plans for the orderly growth of higher education and location of new facilities and programs; (4) renders assistance to the institutions of higher education in carrying out their responsibilities under Federal aid programs; and (5) acts as an advisory board to the Governor of the State, the Wyoming Community College Commission, the Board of Trustees of the University of Wyoming, and the Legislature of the State in the furtherance of the overall goals and objectives of higher education.